



State of Ohio Environmental Protection Agency

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JUN 23 2004

Mr. Dennis Grady
GraMac Enterprises Ltd.
9260 Pleasantwood Ave., NW
North Canton, OH 44720

**Re: Amended Closure/Post-Closure Plan Approval
GraMac Enterprises Ltd.
OHD 004 468 609**

ENTERED DIRECTOR'S JOURNAL

JUN 23 2004

OHIO E.P.A.

Dear Mr. Grady:

On December 26, 2003, GraMac Enterprises Ltd. submitted to Ohio EPA an amended closure/post-closure plan for four hazardous waste dry wells located at 7390 Middlebranch Avenue, Middlebranch, Ohio. The amended closure/post-closure plan was submitted pursuant to rules 3745-66-12 and 3745-66-18 of the Ohio Administrative Code (OAC) in order to demonstrate that GraMac Enterprises Ltd.'s proposal for amended closure/post-closure complies with the requirements of OAC rules 3745-66-11, 3745-66-12 and 3745-66-18.

The owner or operator and the public were given the opportunity to submit written comments regarding the amended closure/post-closure plan in accordance with the hazardous waste rule requirements. No public comments were received by Ohio EPA.

Based upon review of GraMac Enterprises Ltd.'s submittal, I conclude that the amended closure/post-closure plan for the hazardous waste facility at 7390 Middlebranch Avenue, Middlebranch, Ohio, as modified herein, meets the performance standard contained in OAC rule 3745-66-11 and complies with the pertinent parts of OAC rules 3745-66-12 and 3745-66-18.

The amended closure/post-closure plan submitted to Ohio EPA on December 26, 2003, by GraMac Enterprises Ltd. is hereby approved with the following modifications:

I certify this to be a true and accurate copy of the
official document as filed in the records of the Ohio
Environmental Protection Agency

By

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

1. On page 2-6 in the "Metals" subsection and Appendix B, Section 2.4.3, the facility proposes that lead be omitted from the list of analytes at the site. Ohio EPA agrees that lead may be removed from the list of analytes included in the ground water monitoring program. The amended closure/post-closure plan (plan) is hereby amended to delete lead from the list.
2. On page 4-2, the fourth bullet, the plan states that there has been a lack of recent detections of chloroethane and xylenes in MW-13. This statement is inconsistent with the data presented in Table 2-8. According to Table 2-8, xylenes and chloroethane have been detected on a regular basis in MW-13 since 1999. Only during the February 2003 sampling event were these compounds not detected in the sample obtained from MW-13. The plan is hereby amended to delete this statement.
3. Page 4-3 includes a table documenting the ground water protection standards for ethylbenzene, toluene, and xylenes. This table should be expanded to include ground water protection standards for all of the contaminants included in the ground water monitoring program at the site per OAC 3745-54-94 (A).
4. On page 4-3, the plan states that record keeping and reporting will be conducted in accordance with OAC Rules 3745-54-98 (C) and 3745-55-01. These are not the correct rule citations for this ground water monitoring program. Because site specific contamination has been detected in the ground water at the site, a compliance monitoring program in accordance with OAC Rule 3745-54-99 should be implemented during the post-closure period. Section 4-3, "Post Closure Monitoring," should be modified to specifically state that a compliance ground water monitoring program in accordance with OAC Rule 3745-54-99 will be instituted at the site. The specific record keeping and reporting requirements cited on page 4-3 should be OAC Rules 3745-54-75 and 3745-54-99 (C)(2). The plan is hereby amended to include these correct rule citations.
5. The amended closure/post-closure cost estimates in Table 9-1 includes the cost for three years of semi-annual ground water monitoring. If it is determined that greater than three years of monitoring is required, then the facility should submit a revised closure cost estimate to Ohio EPA which includes the costs of up to 30 years of semi-annual ground water monitoring.
6. Appendix B, Post-Closure Monitoring Plan, Comments.
 - A) The plan is hereby amended to change "uppermost water-bearing zone" located in the third sentence of Section 2.3 to "uppermost aquifer."

- B) The OAC Rule 3745-54-92 citation in the first sentence on page 3-1 is incorrect. The plan is hereby amended to state that the ground water monitoring program is performed in accordance with OAC Rule 3745-54-99. Because site specific contaminants of concern historically have been detected in the ground water at the site, a compliance ground water monitoring program should be instituted in the post-closure period.
- C) In accordance with OAC Rules 3745-54-99(D)(1) and (2), Section 5.2 should be modified to include provisions for the statistical analysis of the concentrations of contaminants at the compliance points with the ground water protection standards established in accordance with OAC Rule 3745-54-94 and to determine if contamination is increasing at the monitoring wells at the compliance point. The statistical methods can be found in OAC Rule 3745-54-97 and/or in the U.S. EPA guidance documents Statistical Analysis of Ground-Water Monitoring Data at RCRA Facilities, Interim Final Guidance (April 1989) and Statistical Analysis of Ground-Water Monitoring Data at RCRA Facilities, Addendum to Interim Final Guidance (July 1992). Section 5.2 of the plan is hereby amended to include these changes.
- D) In accordance with OAC Rule 3745-54-99 (H)(1), Section 5.2 of the plan is hereby amended to include provisions for notifying the director within seven days of determining that there has been an exceedence of any of the concentration limits at any of the monitoring wells at the compliance point.
- E) In accordance with OAC Rule 3745-54-99 (H)(2), Section 5.2 of the plan is hereby amended to document that a corrective actions program plan, meeting the requirements of OAC Rule 3745-55-01, will be submitted to the director within 180 days of determining that any of the ground water protection standards have been exceeded at the compliance point.
- F) References to a GWQAP (ground water quality assessment plan) or to a ground water quality assessment program included in Appendix B should be changed to a compliance monitoring plan or compliance monitoring program. The plan is hereby amended to include these changes.
- G) Site specific contaminants of concern have been adequately determined and documented at this site. Therefore, the post-closure compliance ground water monitoring plan should include a statement that the yearly analysis of all of the constituents included in the Appendix to rule OAC Rule 3745-54-98 is not necessary and will not be performed. The plan is hereby amended to include the statement.

- H) Since sufficient historical data is available, the collection and analysis of four replicate samples required by OAC Rule 3745-54-97 (G)(1) is not necessary. The post-closure compliance ground water monitoring plan should be modified accordingly.
 - I) The first paragraph at the top of page 7-1 is hereby amended to reference the record keeping and reporting rules OAC 3745-54-99(C)(2) and 3745-54-75 rather than OAC Rule 3745-55-02.
 - J) Appendix B of the post-closure ground water monitoring plan includes a list of parameters and the types of containers, preservatives, and holding times applicable to each. However, the site specific contaminants of concern are not included in this appendix. It appears that the second page of the appendix is missing. Appendix B of the plan is hereby amended to include the container, preservative, and holding time information for the site specific contaminants of concern.
 - K) The plan is hereby amended to remove metals from Table 3-1 since they are no longer analyzed as part of the facility's ground water monitoring program.
 - L) A footnote for Table 3-1 indicates that the values listed as detection limits are actually practical quantitation limits. In order to better indicate what is actually being documented in the table, the column title "Method Detection Limit" in Table 3-1 should be changed to "Practical Quantitation Limits." The plan is hereby amended to include this change.
 - M) The facility should ensure that the method detection limits (MDLs) achieved are at or below any applicable MCLs. The MDLs for each parameter should be documented with any data submission. Appendix B of the plan is hereby amended to include this requirement.
7. Figure 1 included in Appendix D, Site Controls, shows the area to be graded and covered with concrete. In the figure, a water well is shown to exist in the construction area. It is important that the integrity of this well will be protected and maintained during construction. If the well is to be abandoned, the company should document the proposed abandonment procedures. Chapter 9 of the Technical Guidance Manual for Hydrologic Investigations and Ground Water Monitoring (Ohio EPA, February 1995) should be consulted for abandonment procedures, if applicable. Appendix D of the plan is hereby amended to include these requirements.

8. Section 4.2, Use Restrictions, and Appendix E, Declaration of Restrictions on Use of Real Property, are hereby amended to delete all references to equitable servitude and use restrictions, to be replaced by a covenant to follow the notice to the deed requirements found in OAC Rule 3745-55-19(B).
9. A copy of an updated amended closure/post-closure plan incorporating the above modifications should be submitted to Paul Dolensky at Ohio EPA, Northeast District Office, within 30 days of receipt of this letter.

Compliance with the approved amended closure/post-closure plan, especially including the modifications specified herein, is expected. Ohio EPA will monitor such compliance. Ohio EPA expressly reserves the right to take action, pursuant to chapters 3734. and 6111. of the Ohio Revised Code, and other applicable law, to enforce such compliance and to seek appropriate remedies in the event of noncompliance with the provisions and modifications of this approved amended closure/post-closure plan. Please be advised that approval of this amended closure/post-closure plan does not release GraMac Enterprises Ltd. from any responsibilities regarding corrective action for all releases of hazardous waste or constituents from any waste management unit, regardless of the time at which waste was placed in the unit.

You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the commission within 30 days after notice of the Director's action. Notice of the filing of the appeal shall be filed with the Director within three days after the appeal is filed with the commission. An appeal may be filed with the commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street
Room 222
Columbus, Ohio 43215

When closure is completed, OAC rule 3745-66-15 requires the owner or operator of a facility to submit to the Director of Ohio EPA, certification by the owner or operator and an independent, registered professional engineer, that the facility has been closed in accordance with the approved closure plan. The certification by the owner or operator shall include the statement found in OAC rule 3745-50-42(D). These certifications should be submitted to: Ohio Environmental Protection Agency, Division of Hazardous Waste Management, Attn: Pamela Allen, Regulatory and Information Services Section, P.O. Box 1049, Columbus, Ohio 43216-1049.

Ohio EPA, Division of Hazardous Waste Management, strongly encourages you to consider pollution prevention options for any processes at your facility that generate waste.

While implementation of pollution prevention options is not required by Ohio laws and regulations, the application of waste minimization practices may help reduce the expense of remedial activities. Additionally, implementation of pollution prevention options may prevent the creation of new units and, as a result, eliminate the requirement to submit a closure plan in the future. For assistance in identifying and implementing pollution prevention options, contact Paul Dolensky at (330) 963-1163.

Sincerely,



Christopher Jones
Director

cc: Pamela Allen, DHWM Central File, Ohio EPA
Ed Lim, Manager, ERAS, CO, Ohio EPA
Paul Dolensky, DHWM, NEDO
John Palmer, DHWM, NEDO
Diane Kurlich, DDAGW, NEDO
Harriet Croke, U.S. EPA - Region 5
Michael J. McKim, URS Corporation



State of Ohio Environmental Protection Agency

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Certified Mail
Return Receipt Requested

Re: **CLOSURE PLAN**
GraMac Enterprises Ltd.
OHD Middlebranch Facility
USEPA ID# OHD 004 468 609

January 19, 1999

Mr. Dennis Grady
GraMac Enterprises Ltd.
9260 Pleasantwood Ave., NW
North Canton, OH 44720

I certify this to be a true and accurate copy of the
official document as filed in the records of the Ohio
Environmental Protection Agency.

By: Zona L. Clements Date 1-19-99

Dear Mr. Grady:

On March 31, 1995, GraMac Enterprises Ltd. submitted to Ohio EPA a closure plan for four hazardous waste dry wells located at 7344 Middlebranch Road, Middlebranch, Ohio. Revisions to the closure plan were received on May 15, 1998. The closure plan was submitted pursuant to Rule 3745-66-12 of the Ohio Administrative Code (OAC) in order to demonstrate that GraMac Enterprises Ltd.'s proposal for closure complies with the requirements of OAC Rules 3745-66-11 and 3745-66-12.

The public was given the opportunity to submit written comments regarding the closure plan of GraMac Enterprises Ltd. in accordance with OAC Rule 3745-66-12. No comments were received by Ohio EPA in this matter.

Based upon review of GraMac Enterprises Ltd.'s submittal and subsequent revisions, I conclude that the closure plan for the hazardous waste facility 7344 Middlebranch Road, Middlebranch, Ohio, as modified herein, meets the performance standard contained in OAC Rule 3745-66-11 and complies with the pertinent parts of OAC Rule 3745-66-12.

The closure plan submitted to Ohio EPA on March 31, 1995, and revised on May 15, 1998, by GraMac Enterprises Ltd. is hereby approved with the following modifications:

1. The Responses to Comments, Comment 4 is inconsistent with the Amended Closure Plan's (ACP) Constituents of Concern (COCs) Section 3.3. The ACP is hereby modified to state that the COCs will be those listed in the ACP and not in the GraMac responses.
2. The ACP indicates that cyclohexanone (CAS #108-94-1) will be analyzed using SW-846 Method 8260B. However, this parameter is not included in the methodology. The ACP is

OHIO EPA
ENTERED
DIRECTOR'S JOURNAL
JAN 19 1999

George V. Voinovich, Governor
Nancy P. Hollister, Lt. Governor
Donald R. Schregardus, Director

hereby amended to specify that SW-846 Method 8315A will be used for the analysis of cyclohexanone.

3. GraMac did not adequately address Comment 36 from the Notice of Deficiency (NOD). Literature supports the concept that variable factors such as soil classification, grain size distribution, soil air conductivity, soil moisture content, soil humic content, organic carbon content, soil permeability, soil sorption capacity and soil temperature ranges have a large influence on the success or failure of a Soil Vapor Extraction (SVE) system. The ACP is hereby modified to state that the above data will be submitted to this agency within thirty (30) days of receipt of this approval.
4. The revised ACP does not address how the metals associated with the unit will be remediated. SVE and/or bioremediation techniques are not an effective means for remediating heavy metal contamination. In order for GraMac to be able to achieve Certification of Closure, the RCRA metals will have to be further addressed and a suitable clean standard will need to be met. The ACP is hereby modified to state that site-specific background for the inorganic COCs will be determined in accordance with the Closure Plan Review Guidance. These background figures will be the remediation standards for the site. GraMac shall submit a detailed plan for remediating the site to these standards within thirty (30) days of receipt of this approval.
5. Comment 41 of the NOD required a list of physical properties for the COCs. The table included in GraMac's response did not include the potential degradation products that were added to the list of COCs. This table and any other table, text or figures that refer to specific COCs are hereby modified to include the entire list. GraMac must submit corrected, inclusive tables within thirty (30) days of receipt of this approval.
6. The revised ACP does not adequately address Comment 52 from the NOD. GraMac cannot use a high pressure wash for cleaning any existing piping unless the integrity of the piping has been established and GraMac can document all rinse waters will be contained inside of the piping during the cleaning operation. If the integrity of the piping cannot be documented, the piping must be removed or cleaned in another manner that does not threaten the spread of contamination. GraMac must submit a detailed plan addressing this concern.
7. Figure 10-1 of the revised ACP includes a closure schedule that is date specific. GraMac shall revise that figure to reflect estimated time periods. Closure schedules cannot be date specific. The revised figure shall be submitted to the Ohio EPA.
8. The ACP is hereby modified to state that "In order to establish that the clean closure performance standard (OAC 3745-66-11) has been met, quarterly monitoring will be conducted for a minimum of two years after clean-up goals are achieved. For clean

closure to be certified, the concentrations of contaminants in the ground water must remain at or below the calculated risk-based concentrations during this two year period."

9. GraMac's response to Comment 71 of the NOD indicates that this comment was previously addressed and reflected in the Ground Water Quality Assurance Plan. GraMac must provide further clarification as to the location of this information. If this comment has not been addressed, GraMac shall submit this information to the Ohio EPA.
10. Section 2.4.5.7 of the revised ACP states that the horizontal extent of contamination has been defined. Until sampling results indicate that non-detect, Ohio Farms Soils or background (as appropriate) has been reached in all vertical and horizontal directions, Ohio EPA maintains that the extent of contamination of these hazardous waste units has not been defined. The ACP is hereby modified to state that GraMac will define the full horizontal and vertical contamination pursuant to the original approved closure plan.
11. Section 2.4.5.7 of the revised ACP states that metals will be eliminated as COCs in the ACP. Until the metals are removed in accordance with the approved clean standard in soils, they shall remain a COC for both soil and groundwater. In addition, until the full extent of the unit is defined, no COCs included in the original approved closure plan shall be eliminated from the list.
12. Within 90 days of plan approval, the GraMac must make a good faith effort to gain access to the neighboring property and install an additional ground water monitoring well down gradient of MW-16. If access is granted, the GraMac must install an additional ground water monitoring well down gradient of MW-16. Ground water contamination was detected at MW-16 in February (ethylbenzene and xylene) and June (3,3,5-TMC) 1998. The Ohio EPA is concerned that these contaminants have moved down gradient of MW-16 and off the Grady McCauley site. GraMac will determine the concentration, rate, and extent of the hazardous waste and hazardous waste constituents in the ground water down gradient of MW-16 as required by OAC Rule 3745-65-93(D)(4)(a) and (b).
13. In accordance with OAC 3745-65-93 (D)(4)(a), GraMac has not determined the full vertical extent of ground water contamination at MW-13. Chloroethane (100 ug/l), xylenes (total)(1,100 ug/l) and 3,3,5-trimethylcyclohexanone (3,3,5-TMC) were detected during the first quarter 1998 sampling event at MW-13. GraMac shall install a deeper well in the area of known ground water contamination. The well shall be installed prior to and sampled during the next quarterly groundwater monitoring event.
14. The estimated closure schedule does not include any information concerning the actual installation and operation of the remediation system. GraMac shall submit a detailed schedule that includes any bench, pilot, and full scale remedial schedules for Ohio EPA's consideration.

15. Within ninety (90) days of plan approval, GraMac shall implement a ground water extraction system that will extract contaminated ground water from the uppermost saturated zones as defined in the "Ground Water Quality Assessment Plan" (Woodward-Clyde, February, 1998) and will hydraulically capture the ground water contaminant plume (i.e., reverse the flow of ground water) in the area surrounding MW-13. Concurrent to the implementation of the ground water extraction system, GraMac shall make a good faith effort to obtain all relevant Ohio EPA permits. In addition, GraMac shall notify Ohio EPA's Northeast District Office at least five (5) business days prior to the installation of the ground water extraction system.

All documents and additional information requested above shall be submitted to the Northeast District Office within thirty (30) days of receipt of this approval.

Please be advised that approval of this closure plan does not release GraMac Enterprises Ltd. from any responsibilities as required under the Hazardous and Solid Waste Amendments of 1984 regarding corrective action for all releases of hazardous waste or constituents from any solid waste management unit, regardless of the time at which waste was placed in the unit.

Notwithstanding compliance with the terms of the closure plan, the Director may, on the basis of any information that there is or has been a release of hazardous waste, hazardous constituents, or hazardous substances into the environment, issue an order pursuant to Section 3734.20 et seq. of the Revised Code or Chapters 3734 or 6111 of the Revised Code requiring corrective action or such other response as deemed necessary; or initiate appropriate action; or seek any appropriate legal or equitable remedies to abate pollution or contamination, or to protect public health or safety or the environment.

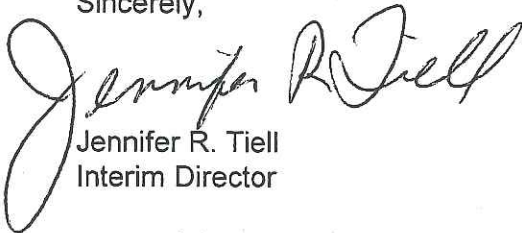
Nothing here shall waive the right of the Director to take action beyond the terms of the closure plan pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. § 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499 ("CERCLA") or to take any other action pursuant to applicable Federal or State law, including but not limited to the right to issue a permit with terms and conditions requiring corrective action pursuant to Chapters 3734 or 6111 of the Revised Code; the right to seek injunctive relief, monetary penalties and punitive damages, to undertake any removal, remedial, and/or response action relating to the facility, and to seek recovery for any costs incurred by the Director in undertaking such actions.

Strict compliance with each and every provision of this approved closure plan, especially including the modifications specified herein, is expected. The Ohio EPA will monitor such compliance. The Director expressly reserves the right to take action, pursuant to Chapters 3734 and 6111 of the Revised Code, and other applicable law, to enforce such compliance and to seek appropriate remedies in the event of noncompliance with the provisions and modifications of this approved closure plan.

You are notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission ("ERAC") pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of, and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the Appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the ERAC. An appeal may be filed with the Environmental Review Appeals Commission, 236 East Town Street, Room 300, Columbus, Ohio 43266-0557.

When closure is completed, the Ohio Administrative Code Rule 3745-66-15 requires the owner or operator of a facility to submit to the Director of the Ohio EPA certification by the owner or operator and an independent, registered professional engineer that the facility has been closed in accordance with the approved closure plan. The certification by the owner or operator shall include the statement found in OAC 3745-50-42(D). These certifications should be submitted to: Ohio Environmental Protection Agency, Division of Hazardous Waste Management, Attn: Tom Crepeau, Data Management Section, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

Sincerely,



Jennifer R. Tiell
Interim Director

gramac/ao

cc: Tom Crepeau, DHWM Central File, Ohio EPA
Closure Unit, DHWM, CO, Ohio EPA
Harriet Croke, U.S. EPA - Region V ✓
Jason Romp, DHWM, NEDO, Ohio EPA
Harry Courtright, DHWM, NEDO, Ohio EPA
Eric Adams, DDAGW, NEDO, Ohio EPA



State of Ohio Environmental Protection Agency

SEP

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NOTICE OF DEFICIENCY

***Certified Mail
Return Receipt Requested***

***Re: Amended Closure Plan
Grady McCauley
Middlebranch Facility
OHD 004 468 609***

September 30, 1997

Mr. Dennis Grady
Grady McCauley Creative Graphics, Inc.
7584 Whipple Avenue
North Canton, OH 44720

Dear Mr. Grady:

On March 31, 1995, Ohio EPA received from Grady McCauley, an amended closure plan for four hazardous waste dry wells located at 7394 Middlebranch Road, Middlebranch, Ohio.

This amended closure was submitted pursuant to Rule 3745-66-12 of the Ohio Administrative Code (OAC) in order to demonstrate that the Grady McCauley's proposal for closure complies with the requirements of OAC Rules 3745-66-11 and 3745-66-12.

The public was given the opportunity to submit written comments regarding the amended closure plan in accordance with OAC Rule 3745-66-12. The public comment period extended from May 29, 1995. No public comments were received by Ohio EPA.

Pursuant to OAC Rule 3745-66-12(D)(4), I am providing you with a statement of deficiencies in the amended closure plan, outlined in Attachment A.

Please take notice that OAC Rule 3745-66-12 requires that a modified amended closure plan addressing the deficiencies enumerated in Attachment A be submitted to the Director of the Ohio EPA for approval within thirty (30) days of the receipt of this letter.

The modified amended closure plan shall be prepared in accordance with the following editorial protocol or convention:

1. Old Language is over-struck, but not obliterated.

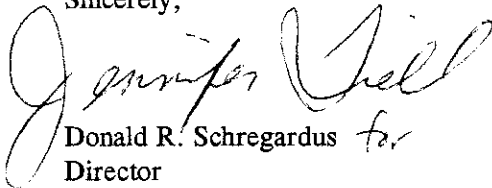
George V. Voinovich, Governor
Nancy P. Hollister, Lt. Governor
Donald R. Schregardus, Director

2. New Language is capitalized.
3. Page headers should indicate date of submission.
4. If significant changes are necessary, pages should be re-numbered, table of contents revised, and complete sections provided as required.

The modified amended closure plan should be submitted to: Ohio Environmental Protection Agency, Division of Hazardous Waste Management, Attn: Tom Crepeau, Manager, Data Management Section, P.O. Box 1049, Columbus, Ohio 43216-1049. A copy should also be sent to: Chris Prosser, Ohio EPA, Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio 44087.

Upon review of the resubmitted plan, I will prepare and issue a final action approving or modifying such plan. If you wish to arrange a meeting to discuss your responses to this Notice of Deficiency, please contact Chris Prosser at (216)963-1259.

Sincerely,



Donald R. Schregardus
Director

gmcauley.MJ.ao

cc: Tom Crepeau, DHWM, Central File, Ohio EPA
Harriet Croke, USEPA, Region V
Montee Suleiman, CO, Ohio EPA
Chris Prosser, Ohio EPA, NEDO

ATTACHMENT A

2.3.4.1 Monitoring Well Installations

- 1) On page 2-10, Grady McCauley (GM) states that approximately three well volumes were purged from each well prior to sampling. GM shall specify in the Amended Closure Plan (ACP) how it was determined that the removal of three well volumes was sufficient.

2.4 Regional and Site Geology and Hydrogeology

- 2) On page 2-11, GM includes the citation ("Ohio EPA, 1990"). The reference information for this citation is not included in a bibliography. GM shall include the appropriate bibliographic information in the ACP.
- 3) On page 2-12, GM has referenced a ground water contour map as Figure 6. The data used to construct this map has not been submitted. GM shall tabulate and submit the static water level and water level elevation data used to construct this map. The ACP shall be revised accordingly.

3.3 Constituents of Concern and 4.1 Chemicals of Concern

- 4) On page 4-1, GM lists the contaminants of concern for ground water at the site. The compounds 1,1-dichloroethane (1,1-DCA); methyl ethyl ketone (MEK); 1,1,1-TCA trichloroethane (1,1,1-TCA); and cyclohexanone as well as the metals cadmium, chromium, lead and zinc have been omitted from this list. Degradation products of 1,1,1-TCA including cis-1,2 dichloroethene; trans-1,2-dichloroethene; chloroethane; 1,1-dichloroethene; and vinyl chloride also were omitted from this table.

GM states that cyclohexanone, 1,1-DCA, MEK, and 1,1,1-TCA were omitted because they were not detected in soil and ground water samples collected at the site. A review of the submitted data, however, indicates that all of these compounds were detected in one or more of the ground water samples collected using Geoprobe procedures. The monitoring well data submitted indicates that detection limits in the more contaminated samples were too high to conclusively delete these compounds from consideration as contaminants of concern. For example, the detection limits for the sample from MW-15 are 5,000 ug/L for cyclohexanone; 250 ug/L for 1,1-DCA; 5,000 ug/L for MEK; and 250 ug/L for 1,1,1-TCA. In addition, the data included on the laboratory data sheets in Appendices 3 and 5 indicate that 1,1,-DCE also was detected in ground water samples collected using the Geoprobe. Because the data are inconclusive, cyclohexanone; 1,1-DCA; MEK and 1,1,1-TCA shall be added to the list of contaminants of concern. The degradation products of 1,1,1-TCA, including 1,1-DCE which has already been detected in ground water samples at the site, also shall be added to the list. Because metals have historically been detected in ground water at the site, cadmium, chromium, lead, and zinc shall remain on the list of contaminants of concern until three additional quarters of data are collected.

- 5) The Table 10 of the ACP shall be revised according to the above comment.

- 6) GM shall use the same list of Chemicals/Constituents of Concern (COCs) as provided in the approved Closure Plan (CP). Any COCs GM proposes to remove from the original list shall be documented and the appropriate analytical shall be provided reflecting the reason each COC is not included. The ACP shall be revised to clarify the differences in terminology and lists between Section 3.3 and Section 4.1.
- 7) Table 1, Soil and Groundwater Sample Analytical Results reflects chromium are above Ohio Farm Soils in 4 of the six samples, therefore chromium shall remain as a COC for soils. The ACP shall be revised to state the cleanup level for chromium shall be Ohio Farm Soils or established through background sampling in accordance with the Closure Performance Standards.

4.2 Cleanup Criteria for Closure

- 8) The ACP shall be revised to state the cleanup levels for all COCs will be non-detect, Ohio Farm Soils or background, as appropriate for each COC. All risk assessment language shall be deleted from this section and all subsequent sections of the ACP.

5.1.1 Bench Scale Treatability for In-Situ Treatment

- 9) On page 5-2, GM lists the parameters which the initial soil and groundwater will be analyzed. The appropriate SW-846 method shall be used for each parameter. Method SW-846 8240 shall be replaced by Method SW-846 8260B as indicated by the January, 1995 US EPA updates. Cyclohexanone (CAS #108-94-1) is not listed in the SW-846 8260B set of parameters, therefore GM shall indicate the appropriate SW-846 Method for this COC.
- 10) Isophorone shall be analyzed using Method SW-846 8270C as indicated by the January, 1995 US EPA updates.
- 11) 3,3,5 - Trimethylcyclohexanone is not listed under SW-846 8270C. GM shall provide the appropriate synonym and CAS number that corresponds with the appropriate SW-846 Method.
- 12) The revised ACP shall address what precautions will be taken in the column study to insure that contaminated soil does not suffer the loss of contaminants by non-treatment routes - *e.g.* volatilization during sample handling or while contained in the column. This could be established by controls, *e.g.* sterile soil and sterile ground water, but no supplementation with hydrogen peroxide and nutrients; this control could show that reduction in contaminants is not due to non-treatment routes, established by the maintenance of contaminate levels from sample withdrawal from site until completion of the bench study.
- 13) The ACP shall be revised to address whether the nutrients to be used in the columns 1, 2, and 3 are the same. If they are not, it will become difficult to judge the merits of aerobic and anaerobic conditions.

- 14) The ACP shall be revised to state how the bench scale study results will be used to scale-up treatment. Conditions in small columns can be much different than those in bulk soil at the contaminated site. Positive bench scale results won't necessarily indicate positive full scale treatment.
- 15) On page 5-3, the fifth paragraph shall be revised to clarify the sentence "If results of the study are favorable, a bioremediation system will be designed and submitted to the Ohio EPA for approval along." The ACP shall also be revised to state the proposed bioremediation system shall be submitted along with a detailed report of the findings and conclusions made during the pilot study. This report shall also include detailed plans/drawings of the facility's large scale vapor extraction system, well placement locations, *etc.*

The ACP shall be revised to state air sparging shall not commence until Ohio EPA has approved detailed construction plans for the remedial system.

- 16) In Section 5.1.1 of the ACP, GM shall provide more details on the sampling schedule for the column and batch studies. This shall include but not be limited to whether the sampling will take place at evenly spaced or staggered time intervals throughout the performance period and the exact time that interval(s) will be used.
- 17) On page 5-1 of the ACP, GM states "A soil column study will be performed first by packing three glass columns..." GM shall provide information in the revised ACP in response to the following questions;
- a) What procedure will GM use to pack the columns?;
 - b) How will the loss of volatiles be minimized?;
 - c) How will the loss of volatiles be assessed?;
 - d) How will the sterilization process be accomplished without the volatilization of VOC vapors?;
 - e) Has GM considered the use of spiking compounds?;
 - f) How will GM assure that each column is consistently packed?; and
 - g) Will packing and pore volume be consistent with field measurements or is this requirement unnecessary for a feasibility assessment?
- 18) On page 5-2 of the ACP, it is unclear if soil and/or water samples will be removed from the columns or if a static head space method will be used. The ACP shall be revised to include detailed information on the analytical operating procedures used to determine mineralization of the COCs. (For example, how will samples be extracted for evaluation? If head space sampling is to be performed, how will the SVOCs be quantified?) Also, the ACP shall be revised to explain how the sampling procedures may affect subsequent samples in the series (microcosms).

- 19) The ACP shall be revised to state if the tracking dye will be used on each column in the study and whether or not the soil columns will be saturated with water (ground or sterilized water).
- 20) The ACP shall be revised to indicate in Section 5.1.1 the quantities of hydrogen peroxide and nutrients that will be used in the soil column and batch studies. Also, GM shall explain how the addition of hydrogen peroxide and ground-water will be introduced to the columns and how will volatiles loss be prevented.
- 21) GM shall explain in Section 5.1.1 of the ACP the constituents of nutrients introduced into each column in the soil column study and into each series in the batch study. If this information is presently unknown, then GM shall state whether the nutrients used are the same throughout the studies and the carbon/nitrogen/phosphorus ratio.
- 22) GM should consider adding a fourth column consisting of only sterilized soil and ground-water. This column would serve as an unreactive control column.
- 23) GM shall explain in Section 5.1.1 of the ACP the criteria used to determine whether in-situ soil treatment (bioremediation) is a viable remedial alternative.
- 24) GM shall explain in Section 5.1.1 of the ACP whether this evaluation will be conducted under controlled temperature conditions for the column and batch studies. If not, why not? If so, what temperature will be used?
- 25) The ACP shall be revised to include whether or not the following soil parameters, during the column and batch studies, are representative of the field in-situ soil conditions: soil moisture content, soil temperature, soil field capacity, soil pH, soil/water dissolved oxygen content, soil/gas dissolved oxygen content, organic matter content, total organic carbon and nitrogen content, redox (oxidation/reduction) potential, total inorganic nitrogen content, porosity, permeability, bulk density, and cation exchange capacity of the soil.
- 26) In Section 5.1.1 of the ACP, GM shall state the volume and the soil weight used in the batch study samples (e.g. 50 cm by 2.5 cm glass cylinders, 50 g), how the samples will be packed, and the location of the soil and groundwater samples to be used.
- 27) In Section 5.1.1 of the ACP, GM shall indicate the time intervals for sampling and whether the time intervals are evenly spaced for the 8 time points for each of the 3 microcosms for each of the 3 series.
- 28) GM shall explain in Section 5.1.1 of the ACP the significance of both the soil column and the batch studies.

5.1.2 Dual Phase Extraction Pilot Testing

- 29) The ACP shall be revised to state GM shall obtain Ohio EPA concurrence on the design of its large scale vapor extraction system prior to actual construction.

- 30) The ACP shall be revised to include additional information concerning the construction of the proposed piezometers (*e.g.*, Will they have a sand pack around the screen? Will the annular space be filled with a bentonite and bentonite/cement grout seal? How will they be finished at the surface?). It is also unclear how many piezometers are proposed. This shall be clarified. Abandonment procedures for the piezometers shall be the same as those followed for monitoring wells (*e.g.*, removal or splitting of casing, sand in screened portion, *etc.*).
- 31) On page 5-4, the third paragraph states "Prior to the test, any requisite air and water discharge permits will be obtained." The ACP shall be revised to specifically state the appropriate POTW and the local air agency.
- 32) On page 5-5, GM mentions that ground water samples will be collected from the extraction well at the completion of the pilot test. It is unclear which well will serve as the extraction well. The CP shall be revised to indicate which of the existing wells will be used as an extraction well. If a well other than one of the existing monitoring wells will be used, the ACP shall include a map showing its proposed location and shall include all details of its proposed drilling, installation, and construction.
- 33) On page 5-6, the first paragraph mentions re-infiltration of treated groundwater into the soil upgradient of LW-1 and LW-2 to accelerated COC removal. **GM must obtain the appropriate permits prior to discharging any treated groundwater back into the environment via any route.** This includes contacting the Division of Drinking and Groundwaters, Underground Injection Control at our central office at (614) 644-2909 to ensure compliance with their program.
- 34) The ACP shall be revised to fully describe the trailer mounted DPE pilot test unit. This revision shall include the manufacturers specifications and limitations, horse power maximum, air flow capacity, and maximum vacuum. The description shall also include how a high vacuum will be maintained.
- 35) The ACP shall be revised to clearly explain and demonstrate that the proposed pilot study will determine effective radius of influence for the site specific soil conditions. This shall include a system that will produce a record of the vacuum pressure distribution in a series of wells over space and time. The adequacy of the system shall be demonstrated through graphs, drawings (plan and cross section views) figures, *etc.*
- 36) The ACP shall be revised to specifically state how the soil air permeability, radius of influence, exhaust vapor contaminant concentrations will be calculated/measured. This would include all assumptions to be used and on what these assumptions are based. The ACP shall also state what range of soil permeability is conductive for this VES system.

The ACP shall be revised to include information on soil air conductivity, soil moisture content, soil humic content, organic carbon content, soil permeability, soil sorption capacity and soil temperature ranges.

- 37) The ACP shall be revised to list all of the specific type of equipment to be used in the pilot test. The ACP shall include the required calibration and operation instructions per manufacturer specifications.
- 38) The ACP shall be revised to explain and justify a minimum of two samples being collected during the pilot test and demonstrate that two samples are enough to calculate/measure the conditions to meet the requirements in this notice of deficiency.
- 39) The ACP shall be revised to account for seasonal variation in the groundwater table during the test and implementation periods.
- 40) The ACP shall be revised to include a detailed description of how the purge waters will be managed tested and disposed of at the termination of the test.
- 41) The ACP shall include a list of the physical properties of the COCs to demonstrate that the COCs have a vapor pressure of 1.0 mm or more of mercury at 20 degrees C and a Henry's Law Constant greater than 0.01 to demonstrate that VES at least has the potential be effective (EPA 1540/2-91/003 (1991)).
- 42) Based upon the data collected during the performance of this pilot study the facility shall determine, at a minimum, the following:
 - a) the appropriate extraction well spacing criteria based upon determination of well's "effective radius" and not its radius of influence (see comment "43c" below);
 - b) the appropriate number of extraction wells;
 - c) the appropriate number of ventilation wells;
 - d) the appropriate well diameter for both extraction and ventilation wells;
 - e) the appropriate spacing of ventilation wells;
 - f) the appropriate depths/screened intervals for both the extraction wells and the ventilation wells;
 - g) whether the extraction of ground water through the vapor extraction wells will detrimentally effect the performance of the vapor extraction system; and
- 43) During performance of the pilot study the facility shall acknowledge, at a minimum, the following requirements:
 - a) the need to place observation wells with vapor probes to determine whether soils are being effectively ventilated and the interactions between extraction wells;

- b) the need to install borings following the pilot test to confirm, via quantitative sampling, that treatment was in fact occurring; and
 - c) the need to ignore the radius of influence when determining the spacing for the extraction wells following the pilot test, and instead base the spacing of the extraction wells upon the physics of the air flow to ensure that the velocity of air flow is sufficient for remediation.
- 44) For long term applications, the vapor extraction well casing, the air injection well casing (if used), and the PVC piezometer casing materials must be compatible with the constituents of concern. Methyl ethyl ketone might affect the PVC well screens if it is at high concentrations. GM must determine whether the casings used are compatible with the COCs and state in the ACP that the casings to be used will be compatible with the COCs. The ACP shall be revised accordingly.
- 45) Good surface seals are required. A surface seal can minimize infiltration of surface water which fills pore spaces and reduces air flow, can increase the radius of influence by preventing short circuiting, and helps to control the horizontal movement of inlet air that might bypass the COCs. GM must state in the ACP whether or not the soil surface above the contaminated soil (e.g. concrete layer or building) provides an adequate seal. If no such seal exists, then a plastic liner may be placed on top.
- 46) Since some of the COCs listed on pages 3-3 and 5-2 of the ACP are capable of forming explosive mixtures at ambient conditions, precautions should be taken (such as the use of explosion proof equipment) to ensure that explosions do not occur. Explosion proof equipment should be used unless it can be demonstrated that there is no potential explosive hazard. The ACP shall be revised accordingly.
- 47) Structures in the soil such as large rocks (boulders) or large clay lenses may significantly impede vapor extraction. GM shall identify the existence of any subsurface geologic structures. The ACP shall be revised accordingly.
- 48) GM shall explain in Section 5.1.2 of the ACP the criteria used to determine whether in-situ soil vapor extraction is a viable remedial alternative.

5.2 Dry Well System Removal

- 49) On page 5-6, GM states that dry wells LW-1 and LW-2 will be removed after the remediation system has reduced the levels of the contaminants of concern below risk-based clean-up goals. It is unclear why these wells will be removed after the remediation activities are near completion. This shall be clarified. GM also shall explain what measures were taken to determine whether these wells are continuing sources of soil and ground water contamination.
- 50) On page 5-7, the second paragraph states that GM intends on using the concrete floor slab and sidewalk that did not come in contact with any hazardous waste as backfill in the excavation area. The ACP shall be revised to state that GM shall obtain prior approval from the Division of Solid

Waste Management before burying any solid waste or construction and demolition debris. To obtain approval, GM may contact Scott Winkler at the Northeast District Office at (216) 963-1200. It shall also be stated in Section 5.2 that all backfill (borrow) material must be clean and not possess any waste contamination.

- 51) On page 5-7, the fifth paragraph states "The 6-in. clay piping between LW-1 and LW-2, if present, will be excavated and cleaned in the same manner except for the removal of the concrete sidewalk." The ACP does not clarify how the clay piping will be cleaned in this instance and is unclear as to the reference of the removal of the concrete sidewalk. The ACP shall be revised to clarify the above statement. In addition, any reference in the ACP to debris, hazardous waste debris or miscellaneous debris shall be managed, cleaned, treated and/or disposed of in accordance with the Hazardous Waste Debris Rule, see Attachment B. All relevant text shall be revised.
- 52) On page 5-8, the second paragraph indicates GM will clean underground piping using a high pressure wash, capping the piping at both ends and leaving it in place. This procedure is unacceptable to the Ohio EPA. GM cannot use a high pressure wash for cleaning any existing piping unless the integrity of the piping has been established and GM can document all rinsewaters will be contained inside of the piping. If the integrity of the piping cannot be documented, the piping must be removed. The ACP shall also be revised to state the thickness of the foundation of any buildings, sidewalks or other structures currently over the piping, and the depth and diameter of the existing piping in the ground.
- 53) On page 5-8, the forth paragraph states "Soil to be managed as hazardous waste will be manifested and transported to a RCRA-permitted Treatment, Storage or Disposal facility." The ACP shall be revised to specifically state which TSD facility will be receiving the wastes and that arrangements will be made with that facility prior to excavating any hazardous waste.
- 54) The ACP shall be revised to demonstrate how GM will ensure the soil placed into the excavations as clean fill meets the definition of "clean".

5.3 Confirmatory Soil Sampling and Analysis

- 55) The ACP shall be revised to state that all confirmatory samples taken from any excavated areas will be done in accordance with the Closure Plan Review Guidance, September, 1993. The grid pattern that is derived from the guidance shall be included in the revised version of the ACP. These confirmatory samples shall include all walls and all floor elevations, keeping in mind that as additional excavating takes place, the size and shape of the excavated area changes. Therefore, one additional confirmation sample may not be adequate depending on the amount of additional excavation. All sections of the ACP shall be revised accordingly.
- 56) The ACP shall be revised to include all sample collection procedures. At a minimum, the closure plan shall include:
 - a) A statement that documentation of sample collection shall be kept in a bound logbook;

- b) For each sample, an accurate physical description of the sample type, location, identification and characteristics will be recorded;
- c) The date, time and name of the individual collection the sample will be included;
- d) Sample information will be recorded on the label applied to laboratory certified clean bottle and a chain of custody form;
- e) Chain of custody seals will be used;
- f) The chain of custody record shall be completed using water proof ink. Any correction are made be drawing a line through and initialling the error. Erasures are not permitted;
- g) Samples will be shipped in a manner to maintain their integrity;
- h) Sampling equipment shall be decontaminated between sampling events unless disposable equipment is used; and
- i) The protocol samplers will be taking such as changing outer gloves between sample collection shall be included.

5.3.3 Sample Shipment

- 57) The ACP shall be revised to state the holding times for all samples will be recognized and strictly adhered to in accordance with USEPA Publication SW-846.

5.3.4 Soil Sample Analysis

- 58) TCLP Analysis shall be used to determine the characteristics of a waste stream. The ACP, however, shall be revised to state that all confirmation samples will be analyzed for Totals.
- 59) The ACP shall be revised to clarify why the table in this section "Analytical Test Methods and Detection Limits" lists two separate methods for cadmium, chromium and lead. If the ACP retains method 6010 as an option, Method 6010B shall be used instead as required by the January 1995 update to SW-846.
- 60) It was noted that the Detection Limits listed on the above referenced table are significantly different than those listed in the specific methodology in SW-846. The ACP shall be revised to account for this discrepancy or the appropriate MDL's from the appropriate methods shall be listed.

5.4 Groundwater Monitoring

- 61) The first sentence of Section 5.4 shall be modified to state, "A ground-water monitoring program, in accordance with OAC Rules 3745-65-90 through 94, will be conducted to evaluate the potential impact on ground-water quality at the site."

- 62) Because contamination has been detected in the ground water at the site, GM is required to be sampling ground water on a quarterly basis in accordance with OAC 3745-65-93(D). Ground water samples shall be analyzed for site specific constituents. Degradation products of any site specific constituent also shall be included in the list of analytes. Ground water shall continue to be monitored on a quarterly basis until final closure of the facility as required by OAC 3745-65-93(D)(7)(a). In order to establish that GM has met the clean closure performance standard (OAC 3745-66-11), quarterly monitoring shall be conducted for a minimum of two years after clean-up goals are achieved. For clean closure to be certified, the concentrations of contaminants in the ground water must remain at or below the clean-up goals during this two year period. The ACP shall be revised accordingly.

Quarterly monitoring for site specific parameters shall begin immediately. All of the site monitoring wells shall be included in the initial monitoring network. As additional data are obtained and analyzed, the monitoring network and the list of analytes may be revised with prior Ohio EPA approval. The ACP shall be revised accordingly.

5.4.2 Groundwater Sampling

- 63) On page 5-13, GM states that water levels will be reported relative to mean sea level. Both static water levels and water level elevations shall be reported. The ACP shall be revised accordingly.
- 64) On page 5-13, GM states that total well depths will be measured to the nearest 0.1 foot. The ACP shall be changed to nearest 0.01 foot.
- 65) On page 5-13, GM states that purging will continue until at least three well volumes have been removed or the well goes dry. This shall be revised to state that, "A minimum of three well volumes will be removed from each well unless the well is purged to dryness first. Purging will continue until pH, specific conductance and temperature have stabilized to within $\pm 10\%$ over three consecutive well volumes. If the well is purged to dryness, purging will be considered to be completed."
- 66) The last sentence on page 5-13 shall be revised to state, "All ground water brought to the surface during purging will be collected, containerized, and characterized for future disposal."
- 67) On page 5-14, GM states that temperature, pH, and specific conductivity measurements will be recorded in the field notebook and will be in the closure records. Provisions for the submission of this data with quarterly and annual reports shall be added to the ACP.

5.4.3 Groundwater Analyses

- 68) GM states that ground water samples will be collected on a quarterly basis during the first year of monitoring. In accordance to OAC 3745-65-93(D)(7)(a), quarterly ground water sampling shall continue until final closure of the facility. In addition, it is also stated in this section that the parameters analyzed will include VOCs, ground water quality and indicator parameters. Because

GM is already analyzing ground water samples for VOCs, the analysis of TOC and TOX seems to be omitted from the list of indicator parameters analyzed. This section of the ACP shall be revised accordingly. The list of indicator parameters on page 5-17 also shall be revised.

- 69) The table on page 5-16 shall be revised to include the degradation products of 1,1,1-TCA. This shall include cis-1,2 DCE; trans-1,2-DCE; chloroethane; 1,1-DCE; and vinyl chloride. In addition, the proposed method detection limit for cadmium is greater than the MCL for this metal. An analytical method with a detection limit less than or equal to the cadmium MCL (5 ug/L) shall be used. The ACP shall be revised accordingly.
- 70) The last sentence in Section 5.4.3 on page 5-17 shall be revised as per Comment 49 above.

5.4.4 Groundwater Data Evaluation

- 71) The first paragraph in Section 5.4.4 shall be revised as per Comment 43 above. The entire section shall be revised to reflect the results of recent ground water sampling at the site (*i.e.*, concentrations of some constituents have already been detected above clean-up levels). If method detection limits are used as a determinant that clean levels have been achieved, GM shall ensure that these limits do not exceed MCLs.

5.5 Quality Control Requirements

- 72) It is unclear how many trip blanks are proposed per sampling event (*e.g.*, one per cooler, one per day, one per sampling event, *etc.*). Section 5.5 shall be revised to clarify the number of trip blanks GM proposes to collect.
- 73) Refer to comment above. The ACP shall be revised to state GM shall obtain prior written approval from the City of North Canton before discharging and water to the sanitary sewer system.

6.1.1 Decontamination Pad

- 74) The ACP shall be revised to reference Figure 14 which depicts the decontamination pad relevant to this section.
- 75) The ACP shall be revised to document how decontamination of equipment will be effected by weather events, including any freezing, snow or rain events. In addition, the ACP shall be revised to document how rainwater/snow that collects in the decontamination pad will be managed.

7.1 Soil

- 76) The ACP shall be revised to state all excavated soils will be properly characterized in accordance with OAC 3745-52-11. This characterization should include determining if any excavated soil would be a listed hazardous waste.

7.2 Rinseate, Purge Water and Pilot Test Water

- 77) Refer to comment 18. The ACP shall be revised to state GM shall obtain prior written approval from the City of North Canton before discharging any water to the sanitary sewer system (or POTW).

7.3 Miscellaneous Debris

- 78) The ACP shall be revised to state all debris that meets the criteria set forth in the Hazardous Waste Debris Rule shall be managed and disposed of in accordance with the Hazardous Waste Debris Rule, see Attachment B. Any wastes that do not meet the criteria of this rule, shall be managed properly, this shall include determining if the waste meets the listed or characteristic criteria in accordance with OAC 3745-51.

8.0 Air Emissions

- 79) For any demolition activities, GM shall file a Notice-of-Demolition form at least 30 days before demolition activities begin. This form can be obtained at the Canton City Health Department, 420 Market Ave., North Canton, Ohio 44702. The ACP shall be revised to state specifically whether any of the closure activities included in the ACP require an Air Permit. If any activities do require an air permit, as determined by the appropriate local air authority, the ACP shall be revised to state all permits will be obtained prior to the activity.

9.0 Health and Safety Plan

- 80) The HASP found in the Approved Closure Plan may be inadequate due to new requirements outdating the plan. The ACP shall be revised to include an up-to-date HASP and shall specifically state the HASP shall meet all of the applicable OSHA requirements.

10.0 Closure Schedule

- 81) On page 10-1, GM states that "if bench-scale study results are not favorable, a pilot test will be conducted to evaluate the possibilities of an alternate remedial system." It is unclear why alternate remedial systems will not be tested first on a bench-scale study basis rather than on a pilot test basis. This shall be clarified.
- 82) The ACP shall be revised to state a "qualified, independent, registered, professional engineer or his/her representative will be present during all testing, sampling, system installation, excavation, decontamination, and all other significant activities."
- 83) The closure schedule shall be revised to include a time line of closure activities. This time line can be in a "flow chart" form using an "if/then" format to account for all likely scenarios.

11.0 Final Closure

- 84) The ACP shall be revised to state that at a minimum, the Closure Certification will include the following information:
- a) The certification statement (please note the certification statement must be exactly worded as in OAC 3745-50-42 (D), the version in the current ACP needs a comma after "is" in the ninth line, and an "s" after "violation" in the last word of the paragraph);
 - b) The approved closure plan or reference to the approved plan;
 - c) The volume of waste removed or closed in place;
 - d) All correspondence regarding closure activity after Ohio EPA approval;
 - e) Details of sampling and analysis methods;
 - f) Actual laboratory records;
 - g) A narrative describing all activities during closure;
 - h) Post-closure clean-up documentation; and
 - i) Signature of owner/operator and of a qualified, independent, registered, professional engineer.

12.0 Post Closure Status

- 85) The Ohio EPA does not "certify" that a closure has been completed. The ACP shall be revised to state GM will submit a closure certification upon completion of closure activities. Once this certification is accepted by Ohio EPA, the facility can be considered "non generator" status.

Figures

- 86) Figure 12 is a laboratory sample tag. It appears that there is a typographical error on this figure. The preservative listed as HNO_2 shall be HNO_3 . This shall be corrected. It is also unclear why HCl is not included on the preservative list. This shall be clarified or HCl shall be added to the preservative list on Figure 12.

Tables

- 87) The detection limits achieved for all values reported as ND on Tables 1 through 7 shall be specified.
- 88) Table 6 is titled "Monitoring Wells Ground Water Analytical Results December 1994 Investigation." Included on this table are inorganic results for samples that the laboratory data sheets indicate were

collected and analyzed in January 1995. The title shall be revised to accurately report when the data were obtained. In addition, the footnote indicates that all ground-water results are reported in ug/L. The inorganic data are actually in mg/L. The ACP shall be revised accordingly.

- 89) Table 6 indicates the inorganic sample number as GMCG-1294-GP-24-8-10, the lab sheets indicate the inorganic sample number as GMCG-1294-GP-26-8-10. The ACP shall be revised to include an explanation for this discrepancy.
- 90) Column headings are missing for Table 8. These shall be added for clarity. The ACP shall be revised accordingly.
- 91) Naptha is listed on Table 9 as a compound used at the facility. Soil and ground water have not been analyzed for this constituent. It is also unclear whether the constituents of the other chemical compounds (e.g. paint wastes, ink wastes, ICC-782 solvent base) have been analyzed for. The ACP shall be revised accordingly.

Appendix A

- 92) The graphics on the well log for MW-13 indicates that the boring was terminated at approximately 15 feet. The text on the log indicates that the termination depth was 17.5 feet. This shall be corrected so that the text and graphics are in agreement.
- 93) Well logs indicate that 10 foot screens were used in all monitoring wells except MW-15. A 15 foot screen was used in MW-15. An explanation shall be added to the text for the use of a 15 foot screen in MW-15.

General Comments

- 94) The language and organization of the ACP does not clearly explain the difference in procedures between LW-1, LW-2 and LW-3, LW-4. Therefore, the ACP shall be revised to clearly explain exactly what will take place at each location. This reorganization would be best accomplished by dividing each area into two different sections, each section covering all the main procedures and issues.
- 95) There appears to be a problem with the analytical reports presented in Appendix 3 and Appendix 5. On page 2, it states that 1,1-DCE stands for 1,1-dichloroethylene and 1,1,1-TCA stands for 1,1,1-trichloroethylene. This is also indicated on the footnotes for Table 1. On page 1 of Appendix 5, it is indicated that ground water samples were analyzed for 1,1-dichloroethylene and 1,1,1-trichloroethane. All of the data tables included in the body of the ACP indicate that all ground water samples were analyzed for 1,1,-dichloroethane and 1,1,1-trichloroethane. These discrepancies between the laboratory data sheets, the laboratory reports, and the tables in the ACP shall be corrected.

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closure, commenters pointed out (correctly) that this would entail removal not only of accumulated sludges but subsurface contaminated soils as well which are not the focus of the treatment requirements, and that forcing clean closure could interfere with otherwise available and potentially more cost-effective types of closure options.

EPA finds many of these comments persuasive and believes that the following interpretation best resolves these issues. First, EPA is not interpreting these provisions as necessitating annual dredging of accumulated sludges. Either the impoundment will close in a short time (no more than four years), or it will be retrofitted and become subject to the annual dredging requirement in section 3005(j)(11) (as implemented by § 268.4(a)(2)(ii)). If the impoundment closes, EPA is interpreting the provisions to allow closure with wastes in place (unless the unit operator chooses to clean close the impoundment). Thus, under this reading, continued use of the impoundment would be allowed during the four-year retrofit/closure period (as explained in section 1 above), use of the impoundment during that time would not be disrupted by a dredging requirement, and the impoundment would be allowed to close with wastes in place. These are the same options that were available to impoundments in 1984 managing wastes already identified or listed as hazardous.

3. Technical Analysis

a. Introduction. Owners or operators of surface impoundments managing newly listed or characteristic hazardous wastes have several options for complying with the minimum technological requirements. Facilities may retrofit the surface impoundments with liners and leak detection systems in compliance with the requirements of section 3004(o)(1)(A)(i). Alternatively, facilities may replace their treatment surface impoundments with wastewater treatment tanks regulated under the Clean Water Act or may opt to close the surface impoundments and send the waste off-site.

EPA believes that very few facilities managing newly regulated wastes in surface impoundments will choose to retrofit their impoundments. For example, the Chemical Manufacturers Association (CMA) conducted an informal survey of 582 chemical manufacturing facilities in the fall of 1989 to obtain information about the management of "non-hazardous wastes" in surface impoundments. Twenty-seven

facilities reported that 85 surface impoundments would be newly regulated as a result of the Toxicity Characteristic rule (55 FR 11798, March 29, 1990); of these 85, only 9 would be retrofitted with liners and leak detection systems. Replacing surface impoundments with tank systems was the most frequently planned method of compliance for the respondents to this survey. Past experience also indicates that surface impoundment owners or operators are more likely to replace their surface impoundments with tank systems than to retrofit the impoundments. RCRA section 3005(j)(1) required surface impoundments that were in existence and that qualified for interim status on the date of enactment of HSWA to come into compliance with the MTRs by November 8, 1988. Most facilities with surface impoundments replaced their impoundments with tanks in response to this deadline. Less than five percent of these facilities actually retrofitted their surface impoundments.

To support today's rulemaking, EPA undertook an analysis to determine how much time is needed for owners or operators of newly regulated surface impoundments to comply with the MTRs either by replacing the impoundments with wastewater treatment tanks exempt from RCRA subtitle C standards, or by retrofitting the surface impoundments with liners and leak detection systems according to the requirements of section 3004(o)(1)(A)(i). EPA collected information from a variety of sources, including facilities that have implemented these practices in the past or plan to do so in the future (e.g., in response to the TC), tank manufacturers, and engineers. The results were summarized in the proposed rule (57 FR 4170), and are available in the background document.*

4. Conclusion

EPA found that the time needed to comply with the MTRs varies considerably based on case-by-case factors (e.g., current waste management practices, land availability) and regional factors (e.g., climate). According to

* It should be noted that the potential statutory conflict at issue in this rulemaking is most immediately relevant to wastes newly regulated as a result of the Toxicity Characteristic (TC) rule (55 FR 11798, March 29, 1990). According to the regulatory impact analysis for the TC, about 730,000,000 metric tons per year of wastewaters managed in surface impoundments at over 2,000 facilities are estimated to exhibit the TC (U.S. EPA, OSW, U.S. EPA Background Document, Toxicity Characteristic Regulatory Impact Analysis, Final Report, March 1990). This potential conflict will also arise with respect to all future newly identified or listed hazardous wastes; however, the TC rule is used as an example throughout this section.

EPA's information sources, six months appears not to be enough time to either retrofit a surface impoundment or replace the impoundment with a wastewater treatment tank. Replacing a surface impoundment with a tank frequently takes two to four years, and retrofitting a surface impoundment frequently takes two to three years.

EPA believes that most interim status surface impoundments managing wastes newly identified or listed as hazardous will be able to comply with the surface impoundment MTRs within four years of the date promulgating the listing or characteristic. Thus, the four-year period allowed in section 3005(j)(6) is a reasonable period within which to come into compliance.

V. Detailed Discussion of Final Rule: Hazardous Debris

A. Overview

The Agency is today promulgating a final rule for the treatment of hazardous debris. Until today, debris destined for land disposal that was contaminated with a prohibited RCRA hazardous waste or that exhibited a prohibited RCRA hazardous characteristic was subject to the treatment standard for that listed waste or characteristic. See, e.g., 55 FR 22849 and RCRA sections 3004 (d)(3) and (e)(3). Although hazardous waste debris (as well as contaminated media) is subject to the LDR prohibitions, there is no requirement that it have the same treatment standards as the wastes with which it is contaminated. Indeed, because hazardous debris may be a matrix significantly different from the underlying prohibited waste, it is appropriate as a technical matter to determine whether different treatment standards were appropriate.

Today, EPA is promulgating treatment standards for hazardous debris prohibited from land disposal. Under today's rule, hazardous debris must be treated by specified technologies based on the type of debris and type of contaminant(s) present or, as an alternative, meet the LDRs for the specified prohibited listed or characteristic waste with which it is contaminated.

EPA has specified a number of BDAT technologies for hazardous debris, with the choice of technology left up to the generator and/or treater managing the waste. The technologies include widely used treatment methods. EPA thus believes that it is preserving in this rule as much flexibility for the treatment of hazardous debris as possible.

Prohibited hazardous debris is defined generally as solid material (that is not a process waste) having a particle size of 60 mm or larger and that is intended for land disposal and exhibits a prohibited characteristic of hazardous waste or that is contaminated with a prohibited listed hazardous waste. Hazardous debris must be treated by one of the specified treatment technologies for each "contaminant subject to treatment" defined as: (1) The BDAT constituents for the listed waste that are subject to land disposal restriction standards (as found in § 268.41 and 268.43); and (2) the RCRA hazardous waste constituent(s) for which the hazardous debris fails the Extraction Procedure toxicity characteristic, in addition to any other characteristic which causes the debris to be hazardous (i.e., ignitability, reactivity). As an alternative, the generator of the hazardous debris may choose to treat the hazardous debris to the existing waste-specific treatment standards for the waste contaminating the debris. However, in choosing this alternative, the generator or treater would be required to sample and analyze the treated debris to ensure compliance with the treatment standards prior to disposal in a Subtitle C land disposal unit.

To ensure effective treatment, the treatment unit would be required to meet performance standards or design and operating conditions specified in the rule. In addition, the treatment unit would generally be subject to the Part 264 and 265 standards for treatment facilities to ensure protection of human health and the environment.

The rule addresses not only the issue of when hazardous debris is sufficiently treated, but the further question of when it is a hazardous waste. Under the rule, treated hazardous debris would be excluded from the definition of hazardous waste provided that: (1) The debris is treated to the performance or design and operating standards by an extraction or destruction technology rather than an immobilization technology⁹; and (2) the treated debris does not exhibit a characteristic of hazardous waste. If an immobilization technology is used, the treated debris would not be automatically deemed a nonhazardous waste. In addition, the Agency could determine on a case-by-case basis under today's rule that debris no longer "contains" hazardous waste

and is excluded from Subtitle B regulation.

Residuals generated by the treatment of hazardous debris are subject to the numerical treatment standards for the waste contaminating the debris.

3. Definitions of Debris and Hazardous Debris

a. Definition of Debris

EPA is today defining debris as solid material exceeding 60 mm (2.5 inch) particle size that is: (1) A manufactured object; or (2) plant or animal matter; or (3) natural geologic material (e.g., cobbles and boulders), except that any material for which a specific treatment standard is provided in Subpart D, part 268, is not debris.¹⁰ A mixture of debris and other material such as soil or sludge is also subject to regulation as debris if the mixture is comprised primarily of debris by volume, based on visual inspection. Process residuals such as smelter slag and residues from the treatment of waste (e.g., incinerator ash), wastewater, sludges, or air emissions residues (e.g., collected particulate matter) are not debris. We discuss below that debris must be intended for discard (i.e., rather than continued use), that debris must be a solid material, the rationale for selecting a 60 mm particle size criterion for debris (i.e., as opposed to the 9.5 mm particle size proposed) and for applying the size criterion to all debris (i.e., not just to geologic materials as proposed), the rationale for regulating as debris mixtures of primarily debris and other materials, the rationale for not regulating process residuals as debris, and the rationale for regulating nonempty containers as hazardous waste subject to existing LDRs rather than as debris.

a. *Debris Must Be Discarded or Intended for Discard.* Debris must of course be either a solid waste or media (e.g., boulders) that is discarded or intended for discard to be subject to the treatment standards in today's rule. Those commenters on the proposed rule expressing concern that the proposed rule in some way vitiated (or was intended to vitiate) this basic principle were mistaken. This means that such materials that might at some later time become debris, such as equipment or building structures, but that are still in use are not subject to the treatment standards. Such in-use material is not a solid waste because it has not been discarded or intended for discard, as

these terms are used in § 261.3¹¹ likely abandoned, as defined in (a)(2)(i) and (b))

Media debris (e.g., boulders) is also not subject to regulation as solid waste unless discarded or intended for discard and so is not automatically subject to the treatment standards.

Once debris becomes a solid waste by virtue of being discarded (including media debris that becomes subject to regulation as solid waste by virtue of being discarded), it is not necessarily subject to the treatment standards. For example, contaminated debris that is not actively managed after the effective date of the prohibitions (i.e., the effective date of the LDRs for the hazardous waste contaminating the debris) would not be subject to the standards. See 53 FR 31148 (Aug. 17, 1988). On the other hand, debris which is contaminated with hazardous waste disposed before the hazardous waste listing effective date and which is actively managed is subject to the prohibitions and so would have to be treated to satisfy the treatment standards promulgated today before debris could be land disposed (assuming disposal will not occur in a no-mix unit). *Chemical Waste Management*, EPA, 869 F.2d 1525 (D.C. Cir. 1989).

b. *Debris Must Be a Solid Material.* The rule defines debris as a "solid material." This means solid in a literal sense as defined in a common dictionary. A solid material is a material that retains its volume at room temperature without the need for support by a container. Examples of solid materials that are debris if intended for discard and if their particle size is 60 mm (2.5 inches) or greater include: (1) Glass; (2) concrete (excluding cementitious or pozzolanic stabilized hazardous wastes); (3) masonry and refractory bricks; (4) nonintact containers¹² (e.g., crushed drums); (5) tanks; (6) pipes, valves, appliances, or industrial equipment; (7) scrap metal (as defined in 40 CFR 261.1(c)(6)); (8) animal carcasses; (9) tree stumps and other plant matter; (10) rock (e.g., cobbles and boulders); and (11) paper, plastic, and rubber. Not only is defining debris as solid material in accord with the common-sense view of what debris is, but, more importantly, it is geared to the treatment standards adopted today that ensure effective decontamination of solid materials: removal or destruction of hazardous waste. Clearly, if a liquid could be

⁹ In the Phase II land disposal restrictions rule, the Agency will reopen and request comment on the issue of whether immobilized debris should be excluded from Subtitle C regulation. (See discussion in Section V.D.2.)

¹⁰ For example, lead acid or cadmium batteries are not debris because they are subject to specific treatment standards under § 268.42.

¹¹ See discussion in section V.B.1.f of the text regarding regulation of intact and nonintact containers.



State of Ohio Environmental Protection Agency

STREET ADDRESS:

300 WaterMark Drive
Columbus, OH 43215-1099

TELE: (614) 644-3020 FAX: (614) 644-2329

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

May 23, 1995

Re: Receipt of Amended Closure
Plan
U.S. EPA ID No.
OHD004468609

Grady-McCauley Creative Graphics, Inc.
Attn: Mr. Dennis Grady
7584 Whipple Avenue
North Canton, Ohio 44720

Dear Mr. Grady:

With this letter the Ohio EPA acknowledges receipt of the amended hazardous waste full closure plan for the four hazardous waste dry wells at the former Grady-McCauley Creative Graphics Inc., 7390 Middlebranch Road N.E., Middlebranch, Ohio. The amended plan was received by the Ohio EPA central office on April 4, 1995. A public notice concerning receipt of the plan and its availability for public review will appear the week of May 29, 1995 in The Canton Repository. The Director of the Ohio EPA will act upon the closure plan after the close of the public comment period on July 3, 1995.

A copy of the amended closure plan will be made available for public review at the Stark County District Library, Hartville Branch, 411 E. Maple Street, Hartville, Ohio 44632, and at the Ohio EPA, Northeast District Office, 2110 Aurora Road, Twinsburg, Ohio 44087.

Please contact Karen Nesbit of the Northeast District Office if you have any questions on this matter.

Sincerely,

Vanessa Gregory, Management Analyst
Data Management Section
Division of Hazardous Waste Management

cc: **Harriet Croke, U.S. EPA, Region 5**
Ed Kitchen, DHWM
Karen Nesbit, NEDO

PUBLIC NOTICE

STARK COUNTY

NOTICE OF RECEIPT OF AMENDED HAZARDOUS WASTE CLOSURE PLAN

Notice is hereby given of the receipt on April 4, 1995 of an amended hazardous waste closure plan from Grady McCauley Creative Graphics, Inc., 7390 Middlebranch Road, N.E., Middlebranch, Ohio 44652, U.S. EPA I.D. No. OHD004468609. The plan concerns the four hazardous waste dry wells located at the address indicated above. A copy of the amended closure plan will be available for public review at the Stark County District Library, Hartville Branch, 411 E. Maple Street, Hartville, Ohio 44632, and at Ohio EPA, Northeast District Office, 2110 Aurora Road, Twinsburg, Ohio 44087, tel: (216) 293-1200. Comments concerning this plan may be submitted within 30 days of the date of this notice to the Ohio EPA, Division of Hazardous Waste Management, Attn: Data Management Section, 1800 Watermark Dr., Columbus, Ohio 43215-1099, tel: (614) 644-2977.



State of Ohio Environmental Protection Agency

P.O. Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149
644-3020
FAX (614) 644-2329

George V. Voinovich
Governor
Donald R. Schregardus
Director

CERTIFIED MAIL

March 2, 1995

RE: CLOSURE PLAN EXTENSION
GRADY McCAULEY, INC.
MIDDLEBRANCH
OHD 004 468 609

Mr. Dennis Grady
Grady McCauley Creative Graphics
7584 Whipple Avenue
Canton, Ohio 44720

OHIO E.P.A.

MAR-2 95

UNITED STATES DEPARTMENT OF JUSTICE

Dear Mr. Grady:

On January 26, 1995, Squires, Sanders & Dempsey on behalf of Grady McCauley, Inc., located at 7390 Middlebranch Road, Middlebranch, Ohio, submitted a request for an extension to the closure period specified in the approved closure plan dated February 24, 1993 for 60 days, until March 31, 1995. The extension request was submitted pursuant to OAC Rule 3745-66-13(B) as closure will require longer than the 180 day period specified in OAC Rule 3745-66-13. Grady McCauley, Inc. has requested this extension because the December 1994 site assessment activities indicate horizontal and vertical extent of soil and ground water contamination is greater than formerly assessed. An extension of time is needed to determine the best and most appropriate remediation methodology for the site.

My staff reviewed your request and recommends that the extension be granted per Rule 3745-66-13(B) of the OAC. I concur and am therefore granting this extension request. This extension is being granted for the above referenced closure plan and expires on March 31, 1995.

Grady McCauley shall continue to take all steps to prevent a threat to human health and the environment from the unclosed but inactive waste management unit per OAC Rule 3745-66-13(B)(2).

Please be advised that approval of this closure extension request does not release Grady McCauley, Inc. from any responsibilities as required under the Hazardous and Solid Waste Amendments of 1984 regarding corrective action for all releases of hazardous waste or constituents from any solid waste management unit, regardless of the time at which waste was placed in the unit.

I certify this to be a true and accurate copy of the
official document as filed in the records of the Ohio
Environmental Protection Agency.

By: Mary Carvin Date 3-2-95

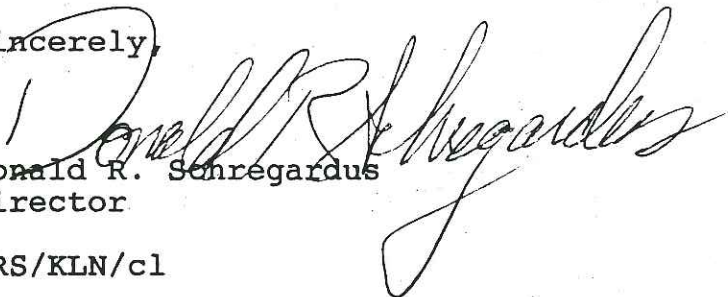
Mr. Dennis Grady
Grady McCauley Creative Graphics
Page Two

When closure is completed, the Ohio Administrative Code Rule 3745-66-15 requires the owner or operator of a facility to submit to the Director of the Ohio EPA certification by the owner or operator and an independent professional engineer that the facility has been closed in accordance with the specifications in the approved closure plan. These certifications shall follow the format specified in OAC 3745-50-42(D), and should be submitted to: Ohio Environmental Protection Agency, Division of Hazardous Waste Management, Attn: Tom Crepeau, Data Management Section, P.O. Box 1049, Columbus, OH 43266-1049.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Board of Review pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the ground upon which the appeal is based. This appeal must be filed with the Environmental Board of Review within thirty (30) days from the receipt of this letter. A copy of the appeal must be served to the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Board. An appeal must be filed at the following address:

Environmental Board of Review
236 East Town Street
Room 300
Columbus, OH 43215

Sincerely,


Donald R. Schregardus
Director

DRS/KLN/cl

cc: Tom Crepeau, DHWM Central File, Ohio EPA
Harriet Croke, Ohio Permit Section, U.S. EPA - Region V
Montee Suleiman, Ohio EPA, DHWM, CO
Karen L. Nesbit, Ohio EPA, DHWM, NEDO
Harry Courtright, Ohio EPA, DHWM, NEDO

I certify this to be a true and accurate copy of the
official document as filed in the records of the Ohio
Environmental Protection Agency.

By: Mary Gavin Date 3-2-95

OHIO E.P.A.

HAR-2 95

FILED DIRECTOR'S JOURNAL



State of Ohio Environmental Protection Agency

Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149
(614) 644-3020
FAX (614) 644-2329

George V. Voinovich
Governor

Donald R. Schregardus
Director

CERTIFIED MAIL

RE: CLOSURE PLAN EXTENSION
GRADY-MCCAULEY
MIDDLE BRANCH FACILITY
OHD 004 468 609

September 19, 1994

Mr. Dennis Grady
Grady-McCauley Creative Graphics, Inc.
7584 Whipple Ave.
North Canton, OH 44720

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OHIO E.P.A. CENTER

OCT 04 1994

Dear Mr. Grady:

On August 3, 1994, Grady-McCauley, located at 7394 Middle Branch Road, Middle Branch, Ohio, submitted a request for an extension to the closure period specified in the approved closure plan dated November 25, 1988 for 180 days, until January 29, 1995. The extension request was submitted pursuant to OAC Rule 3745-66-13(B) as closure will require longer than the 180 day period specified in OAC Rule 3745-66-13. Grady-McCauley has requested this extension because the full extent of contamination has not yet been defined.

My staff reviewed your request and recommends that the extension be granted per Rule 3745-66-13(B) of the OAC. I concur and am therefore granting this extension request. This extension is being granted for the above referenced closure plan and expires on January 29, 1995.

Grady-McCauley shall continue to take all steps to prevent a threat to human health and the environment from the unclosed but inactive waste management unit per OAC Rule 3745-66-13(B)(2).

Please be advised that approval of this closure extension request does not release Grady-McCauley from any responsibilities as required under the Hazardous and Solid Waste Amendments of 1984 regarding corrective action for all releases of hazardous waste or constituents from any solid waste management unit, regardless of the time at which waste was placed in the unit.

I certify this to be a true and accurate copy of the official document as filed in the records of the Ohio Environmental Protection Agency.

By: Mary Gavin Date SEP 19 1994

OHIO E.P.A.

SEP 19 94

OHIO E.P.A. DIRECTOR'S JOURNAL



Grady-McCauley Creative Graphics, Inc.
Mr. Dennis Grady

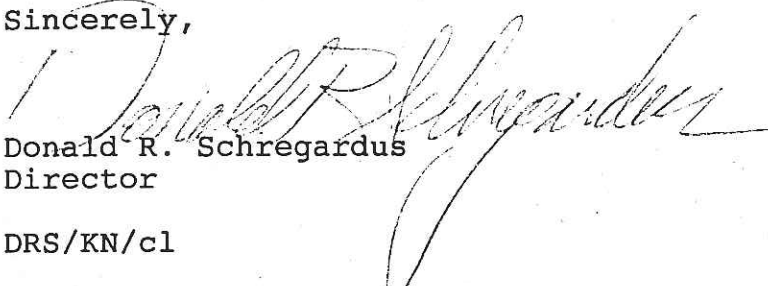
Page Two

When closure is completed, the Ohio Administrative Code Rule 3745-66-15 requires the owner or operator of a facility to submit to the Director of the Ohio EPA certification by the owner or operator and an independent professional engineer that the facility has been closed in accordance with the specifications in the approved closure plan. These certifications shall follow the format specified in OAC 3745-50-42(D), and should be submitted to: Ohio Environmental Protection Agency, Division of Hazardous Waste Management, Attn: Tom Crepeau, Data Management Section, P.O. Box 163669, Columbus, OH 43216-3669.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Board of Review pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the ground upon which the appeal is based. This appeal must be filed with the Environmental Board of Review within thirty (30) days from the receipt of this letter. A copy of the appeal must be served to the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Board. An appeal must be filed at the following address:

Environmental Board of Review
236 East Town Street
Room 300
Columbus, OH 43215

Sincerely,


Donald R. Schregardus
Director

DRS/KN/cl

cc: Tom Crepeau, DHWM Central File, Ohio EPA
Section Chief, Ohio Permit Section, U.S. EPA - Region V
Montee Suleman, Ohio EPA, DHWM, CO
Karen L. Nesbit, Ohio EPA, DHWM, NEDO
Harry Courtright, Ohio EPA, DHWM, NEDO

I certify this to be a true and accurate copy of the official document as filed in the records of the Ohio Environmental Protection Agency.

By: Mary Carvin Date SEP 19 1994

OHIO E.P.A.

SEP 19 94

REGISTERED DIRECTOR'S JOURNAL



State of Ohio Environmental Protection Agency

Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149
(614) 644-3020
FAX (614) 644-2329

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OFFICE OF RCRA
WASTE MANAGEMENT DIVISION
EPA, REGION V

George V. Voinovich
Governor

Donald R. Schregardus
Director

CLOSURE PLAN APPROVAL

CERTIFIED MAIL

October 4, 1993

RE: CLOSURE PLAN
GRADY-MCCAULEY
STARK COUNTY
OHD 004-468-609

RECEIVED
WMD RCRA
RECORD CENTER
OCT 12 1993
P/A

Mr. Dennis Grady, CEO
Grady McCauley Creative Graphics
7584 Whipple Avenue
North Canton, OH 44720

Dear Mr. Grady:

On February 26, 1993, Grady McCauley submitted to Ohio EPA a closure plan for the contaminated leaching well tanks located at 7390 Middlebranch Road, Middlebranch, Ohio. The closure plan was submitted pursuant to Rule 3745-66-12 of the Ohio Administrative Code (OAC) in order to demonstrate that Grady McCauley's proposal for closure complies with the requirements of OAC Rules 3745-66-11 and 3745-66-12.

The public was given the opportunity to submit written comments regarding the closure plan of Grady McCauley in accordance with OAC Rule 3745-66-12. No comments were received by Ohio EPA in this matter.

Based upon review of Grady McCauley's submittal and subsequent revisions, I conclude that the closure plan for the hazardous waste facility at 7390 Middlebranch Road, Middlebranch, Ohio, as modified herein, meets the performance standard contained in OAC Rule 3745-66-11 and complies with the pertinent parts of OAC Rule 3745-66-12.

The closure plan submitted to Ohio EPA on February 26, 1993 is hereby approved with the following modifications:

I certify this to be a true and accurate copy of the official document as filed in the records of the Ohio Environmental Protection Agency.

By: Duke Mackey Date 10/4/93

OHIO E.P.A.

OCT -4 93

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I certify this to be a true and accurate copy of the
official document as filed in the records of the Ohio
Environmental Protection Agency.

By: William Mackey Date 10/4/93

- 1) Grady-McCauley (G-M) shall provide a reasonable windbreak for the decontamination pad. During periods of significant winds, the decontamination spray and residue could be carried beyond the limits of the decontamination pad. The windbreak unit must be placed on the upward wind side of the decontamination pad. A detailed description for the windbreak unit must be submitted to this office within 15 days of issuance of this closure approval notification. Please be advised that this submission does not effect the approved closure schedule in any way. G-M must complete closure activities as per the approved closure schedule.
- 2) G-M shall notify the Ohio EPA at least five days prior to removal of the initial wastes. The specific transporting company and disposal company of each waste stream shall be specified.
- 3) G-M shall specify how the site security requirement (OAC 3745-65-14) shall be met. A complete explanation of site security demonstrating compliance with OAC 3745-65-14 shall be submitted to the Ohio EPA within 15 days of issuance of the closure approval letter. This submittal shall not delay or change the approved closure schedule.
- 4) G-M's closure plan is hereby amended to state that all ground water monitoring wells will be constructed with above ground casings, except wells located in a traffic area (i.e., driveways, parking lots, etc.). The above ground casing will minimize contamination of the ground water through surface water migration into the well casing.
- 5) G-M's closure plan, sampling section, is hereby amended to state that waterproof pens will be used to label all sample jars. This will keep the sample jar labels legible.
- 6) G-M has indicated that trip blanks will be used as a quality control during sample activities. G-M shall require that all trip blanks consist of analyte-free water.
- 7) G-M's closure plan is hereby amended to state that the facility will pressure rinse all drain areas under the cement floor which will not be removed during closure. If the rinseates test clean, per the rinseate standards, then the drains shall be adequately sealed from both ends. If the rinseates are tested and found to be above the rinseate clean standards, then additional decontamination procedures shall occur until the clean standards are met. If the rinseate clean standards cannot be attained, then the closure plan must be modified to ensure that the drain is closed as a clean unit.

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By: John Mackey Date 10/4/93

- 8) G-M indicated in Section 4.6-Decontamination Procedures, that a sump would be constructed for collection of rinseates. G-M shall provide construction details of the decontamination sump to the Ohio EPA within 15 days of receipt of the closure approval letter. This submittal shall not delay or change the approved closure schedule. The sump's construction must be designed so that no contamination is released to the environment (i.e., the sump must be lined, etc.). Any releases from the sump will be considered a spill to the environment and will require a full RCRA clean-up.
- 9) G-M's closure plan is hereby amended to state that if the construction material from LW1, LW2, LW3, LW4 and associated piping does not meet the clean standards, additional decontamination procedures will occur until the clean standards are met. If the clean standards cannot be met, then material must be disposed of as a solid or hazardous waste as per the analyticals.
- 10) Table 2 in the closure plan is hereby modified to state that 1,1-dichloroethane is an F002 waste. Also, the U-codes cited in table 2 are not appropriate descriptions of the wastes generated by G-M and are hereby deleted from the table.
- 11) G-M shall submit a statement which indicates the future use of the closure area within 15 days of issuance of the closure approval letter. This submittal shall not delay or change the approved closure schedule.
- 12) G-M shall submit an amended closure plan for review and approval if an unexpected event prohibits completion of the closure as originally approved.
- 13) G-M's closure certification shall include at a minimum:
 - a) Copies of all hazardous waste manifest forms, including the land disposal restriction (LDR) notification forms.
 - b) The volume of wastes removed.
 - c) Specific details of sampling and analysis methods.
 - d) Pertinent laboratory records.
 - e) The closure certification statement shall be signed after completion of closure by the owner/operator and an independent, qualified, registered professional engineer.
 - f) The closure certification shall include a detailed breakdown of all closure costs.
- 14) G-M's closure plan is hereby amended to state that all sampling equipment shall be accumulated in drums, not in plastic bags, due to the possibility of container failure.

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OHIO EPA

- 15) G-M shall explain why lead was detected in four wells at the site on September 15, 1989, but was not detected in two resampled wells on October 3, 1989 (i.e., Were sampling procedures changed in any way? Was the detection limit or method of analysis varied?).
- 16) On page 4-1, G-M proposes to monitor ground water for one year to confirm clean closure. The Ohio EPA policy requires a minimum of two years of ground water monitoring prior to certification of a site as clean closed. This is particularly important at this site because the last ground water samples were analyzed in 1989. These samples were analyzed only for lead. It appears that ground water samples from the site have not been analyzed for organic constituents since 1987. Thus the closure plan shall be modified to include two years of quarterly monitoring. Because contaminants have already been detected in ground water at the site, the company should monitor for site specific parameters.

Based on the results of previous ground water sampling events, these parameters should include, but not necessarily be limited to, cyclohexanone; 3,3,5-trimethylcyclohexane; 1,1-dichloroethane; ethylbenzene; isophorone; methyl ethyl ketone; toluene; 1,1,1-trichloroethane; xylene; cadmium; chromium; lead; and zinc. A table summarizing ground water parameters, methods of analysis and method detection limits should be prepared and submitted to the Ohio EPA within 15 days of issuance of the closure approval letter. This shall not delay the closure schedule.

- 17) G-M states on page 4-8 that ground water will be monitored quarterly for a minimum of one year. As per comment 16 above, this shall be changed to two years.

G-M also states on this page that data for ground water monitoring parameters specified in OAC 3745-65-92 B will be submitted on a quarterly basis within 15 days of receiving the results from the laboratory. All data, including the concentrations of site specific parameters, shall be submitted on a quarterly basis. This will facilitate the early detection of potential problems which might preclude clean closure of the site. Static water levels, water level elevations and ground water contour maps with ground water flow direction (clearly indicated) shall be evaluated and submitted on a quarterly basis.

OHIO EPA

OCT -6 93

INTERIOR DIRECTOR'S JOURNAL

I certify this to be a true and accurate copy of the official document as filed in the records of the Ohio Environmental Protection Agency.

By: A. K. Mackey Date 10/4/93

- 18) If flush mounted wells are installed at the site in areas of traffic flow, they should be protected from damage by surrounding them with bumper guards. In addition, the closure plan shall specify that the top of the PVC casing will be secured with an expandable locking cap. Figure 8 shall be modified to show these caps. This figure also shall be modified to show the stick-up of the PVC casing into the flush mounted vault. The borehole diameter shall also be documented on this figure. The flush mounted design shall be modified to show a mounded concrete apron around the well head to aid in the drainage of surface water away from the well. This modification shall be depicted on Figure 8.
- 19) The company describes well development procedures on page 4-9. These procedures shall be modified to document that a minimum of five well volumes will be removed during well development.
- 20) The company shall indicate on page 4-9 that the well locations (to the nearest foot) and elevations (to the nearest 0.01 foot) will be determined by a licensed surveyor. The closure plan also shall specify that a permanent reference point will be marked on the well inner casing to document the point to which water levels and depth to the bottom of the well will be measured.
- 21) The company indicates on page 4-9 that the total depths of the wells will be measured to the nearest 0.1 ft. This shall be changed to the nearest 0.01 ft.
- 22) The company states on page 4-9 that water levels will be reported in relation to mean sea level (water level elevations). The depth to water (static water level) must also be reported.
- 23) The well purging procedures on page 4-9 shall be modified to indicate that pumping or bailing will continue until the pH, specific conductivity and temperature values obtained from samples collected after three consecutive well volumes vary by less than 10% or until five well volumes have been removed or the well is purged dry.

OHIO E.P.A.

OCT -4 93

ATTACHED DIRECTOR'S JOURNAL

I certify this to be a true and accurate copy of the
official document as filed in the records of the Ohio
Environmental Protection Agency.

By: Nick Mackay Date 10/4/93

- 24) Additional information shall be submitted concerning the rotary screw pump proposed for well development and purging. Please submit within 15 days of issuance of the closure approval letter.
- 25) On page 4-10, the last sentence of the first full paragraph on the page shall be modified to read, "These samples will be preserved with nitric acid to a pH less than two immediately after filtering."
- 26) The first sentence in section 4.5.3 on page 4-11 shall be modified to read, "The ground water samples will be collected on a quarterly basis during the two years of ground water monitoring." The last sentence in this section shall be changed to indicate that ground water samples will be analyzed for site-specific parameters on a quarterly basis for the two years of monitoring.
- 27) The reference to a "one year monitoring period" in the first sentence on page 4-12 shall be modified to a "two year period".
- 28) On page 5-2, the company states that 5 days prior notification will be given to the Ohio EPA before the initiation of any "critical phases" of the closure plan. The installation of monitoring wells shall be added to the i.e. statement as one of the activities that prior notification will be given for.
- 29) Provisions for the locating and properly abandoning all monitoring wells at the site prior to the final closure certification shall be included in the closure plan.
- 30) Decontamination procedures for bailers and pumps used in monitoring well development, purging and sampling shall be added to the closure plan.

Please be advised that approval of this closure plan does not release Grady-McCauley from any responsibilities as required under Hazardous and Solid Waste Amendments of 1984 regarding corrective action for all releases of hazardous waste or constituents from any solid waste management unit, regardless of the time at which waste was placed in the unit.

I certify this to be a true and accurate copy of the official document as filed in the records of the Ohio Environmental Protection Agency.

By: Aiko Mackey Date 10/4/93

OHIO EPA

OCT -4 93

ENTERED DIRECTOR'S JOURNAL

Notwithstanding compliance with the terms of the closure plan, the Director may, on the basis of any information that there is or has been a release of hazardous waste, hazardous constituents, or hazardous substances into the environment, issue an order pursuant to Section 3734.20 et seq of the Revised Code or Chapters 3734 or 6111 of the Revised Code requiring corrective action or such other response as deemed necessary; or initiate appropriate action; or seek any appropriate legal or equitable remedies to abate pollution or contamination, or to protect public health or safety or the environment.

Nothing here shall waive the right of the Director to take action beyond the terms of the closure plan pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Subchapter 9601 et seq, as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499 ("CERCLA") or to take any other action pursuant to applicable Federal or State law, including but not limited to the right to issue a permit with terms and conditions requiring corrective action pursuant to Chapters 3734 or 6111 of the Revised Code; the right to seek injunctive relief, monetary penalties and punitive damages, to undertake any removal, remedial and/or response action relating to the facility, and to seek recovery for any costs incurred by the Director in undertaking such actions.

You are notified that this action of the Director is final and may be appealed to the Environmental Board of Review pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of, and the grounds upon which the appeal is based. It must be filed with the Environmental Board of Review within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Board. An appeal may be filed with the Environmental Board of Review at the following address: Environmental Board of Review, 236 East Town Street, Room 300, Columbus, Ohio 43266-0557.

When closure is completed, the Ohio Administrative Code Rule 3745-66-15 requires the owner or operator of a facility to submit to the Director of the Ohio EPA certification by the owner or operator and an independent, registered professional engineer that the facility

I certify this to be a true and accurate copy of the official document as filed in the records of the Ohio Environmental Protection Agency.

By: John Mackey Date 10/4/93

OHIO EPA

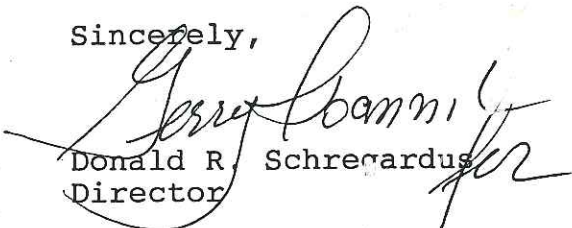
OCT -4 93

ENTERED DIRECTOR'S JOURNAL

Grady-McCauley Creative Graphics
Page Eight

has been closed in accordance with the approved closure plan. The certification by the owner or operator shall include the statement found in OAC 3745-50-42(D). These certifications should be submitted to: Ohio Environmental Protection agency, Division of Hazardous Waste Management, Attn: Tom Crepeau, Data Management Section, P.O. Box 1049, Columbus, Ohio 43266-0149.

Sincerely,


Donald R. Schreckardus
Director

DRS/MB/wk

cc: Tom Crepeau, DHWM Central File, Ohio EPA
Randy Meyer, Ohio EPA, DHWM, CO
Section Chief, Ohio Permit Section, U.S. EPA - Region V
Mark Bergman, Ohio EPA, DHWM, NEDO
Harry Courtright, Ohio EPA, DHWM, NEDO
Diane Kurlich, Ohio EPA, DDAGW, NEDO

I certify this to be a true and accurate copy of the official document as filed in the records of the Ohio Environmental Protection Agency.

By: Rito Mackey Date 10/4/93

OHIO E.P.A.
OCT -4 93
ENTERED DIRECTOR'S JOURNAL



State of Ohio Environmental Protection Agency

Northeast District Office

110 E. Aurora Road
Cincinnati, Ohio 44087-1969
(616) 425-9171
FAX (216) 487-0769

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APR 7 1992

George V. Voinovich
Governor

Donald R. Schregardus
Director

March 27, 1992

OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V
RE: GRADY MCCAULEY
STARK COUNTY
LDU

Mr. Dennis Grady
Grady McCauley Creative Graphics
7584 Whipple Road
North Canton, OH 44720

Dear Sir:

On March 16, 1992, a meeting was held at your office with representatives from Grady McCauley; Woodward-Clyde; Squire, Sanders & Dempsey; and Ohio EPA. The purpose of this meeting was to discuss what steps will be necessary to be taken so that Grady McCauley can begin closure on the lead contaminated area at the Dice Decal facility in Middlebranch, Ohio. The CAFO signed by Grady McCauley and the U.S. EPA on December 2, 1986, requires Ohio EPA approval on the lead contaminated area before clean-up can begin. I contacted Paul Vandermeer from the Closure Section of our Central Office, RCRA Unit. [We agreed that the lead contaminated area qualifies as a solid waste management unit. Therefore, a formal closure plan will not be required. The U.S. EPA has reviewed all of the submittals for the lead contaminated area and formally granted approval on September 10, 1991. I have reviewed the feasibility study on this area and agree with the U.S. EPA that implementation should begin.]

The solvent contaminated dry well area is considered an unpermitted RCRA land disposal unit. Therefore, this area will require a formal closure approval by the Director of the Ohio EPA. On November 21, 1988, Grady McCauley submitted a document to the Ohio EPA which was a work plan for closure of the dry wells. In January of 1989, the Ohio EPA public noticed this submittal as a closure plan. On February 7, 1987, Kenneth Moore of Squires, Sanders and Dempsey sent a letter to Thomas Crepeau, Ohio EPA, Central Office. Mr. Moore stated that Grady McCauley's submittal was not to be reviewed by the Ohio EPA as a stand-alone Closure Plan. He further stated that Ohio EPA approval or disapproval is not necessary or appropriate since U.S. EPA has assumed the enforcement lead. On March 17, 1989, Jennifer Tiell, Ohio EPA, responded with a letter to Mr. Moore. She stated that Ohio EPA has an obligation under state law to manage hazardous waste facilities. She further stated that the Ohio EPA would work cooperatively with the U.S. EPA to approve a closure plan for Grady McCauley. Since then, the Ohio has not received a formal closure plan from Grady McCauley. However, all of the facility representatives in attendance at the March 16, 1992 meeting agreed to submit a formal closure plan for the solvent contaminated dry well area. The closure plan will be in a format compatible with Ohio EPA closure guidance.



RECEIVED
Page - 2 -
Mr. Dennis Grady
March 27, 1992

I trust that this letter will satisfy your needs. If you need further assistance you may contact me at (216) 963-1200.

Sincerely,

Mark Bergman

Mark Bergman, R.S.
Environmental Specialist
Division of Hazardous Waste Management

MB.wb

cc: Paul Vandermeer, DHWM, CO
Harry Courtright, DHWM, NEDO
Matt Ohl, U.S. EPA, Region V
Philip Schillawski, Squires, Sanders & Dempsey

NOV 12 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Kenneth C. Moore
Squire, Sanders and Dempsey
1800 Huntington Building
Cleveland, Ohio 44115

5HR-12

Dear Mr. Moore:

The United States Environmental Protection Agency (U.S. EPA) has reviewed your letter of October 18, 1991, regarding the Grady McCauley Middlebranch, Ohio facility.

On June 30, 1989, U.S. EPA granted final authorization to the Ohio Environmental Protection Agency (OEPA) to administer a hazardous waste program in lieu of the Federal program. Although, the December 2, 1986 Consent Agreement and Final Order (CAFO) states that OEPA and U.S. EPA will approve Grady McCauley's closure plan, since OEPA has been delegated the program, OEPA is the only party required to approve the closure plan. Therefore, Grady McCauley must only receive approval of the closure plan from OEPA to comply with the CAFO.

U.S. EPA and OEPA have discussed your October 18, 1991 letter, and OEPA will be submitting a letter regarding both the Feasibility Study and closure plan in the near future.

If you have any questions regarding this matter, please contact Mr. James Saric of my staff at (312) 886-0992.

Sincerely,

Joseph M. Boyle, Chief
RCRA Enforcement Branch

cc: Mark Bergman, OEPA-NEDO
Dennis Grady, Grady McCauley

INIT. DATE	TYP.	AUTH.	IC/HN TECH. ENF. SEC.	MI/VI TECH. ENF. SEC.	OH/MN TECH. ENF. SEC.	IL/MI/VI ENF. PROG. SECTION	IN/IN/ON ENF. PROG. SECTION	RCRA ENF. BR. CHIEF	O. R. A.D.D.	W. R. DIR
		gs 11/7			21 11-12-91			21 11-12-91		

1602 S. JONES



July 23, 1991

Mr. Mark Bergman
Ohio EPA
Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087



Dear Mark,

Regarding your inspection of our Middlebranch facility on June 25, we have taken action to correct the concern you noted in your letter of June 27, 1991.

On July 22, I met with Hal Jones, President of Hal Jones Construction Company, who is currently leasing our Middlebranch facility. After walking the site and generally identifying the area where the dry wells are located, Mr. Jones assured me that he will no longer park vehicles or other heavy equipment in this area.

On November 21, 1988, we submitted to US EPA and Ohio EPA a work plan for closure of the dry wells at our Middlebranch facility. On February 7, 1989, in a letter from Ken Moore of Squire, Sanders & Dempsey to Ohio EPA DSHWM, we again requested that our work plan for closure of these decommissioned dry wells be approved without delay. I would like to request that these documents be reviewed with the hope that we can begin removal of the wells as soon as possible.

Please contact me if you have any additional questions or comments.

Very truly yours,

GRADY MCCAULEY INCORPORATED



Dennis J. Grady
Chief Executive Officer

DJG/pc

cc: Mr. Hal Jones
Hal Jones Construction Company

Mr. James Thunder
Squire, Sanders & Dempsey

✓ Mr. Jim Saric
US Environmental Protection Agency

**WORK PLAN FOR
DRY WELL CLOSURE
GRADY MCCAULEY INCORPORATED
NORTH CANTON, OHIO**

**Prepared For:
Grady McCauley Incorporated
7584 Whipple Avenue
North Canton, Ohio 44720**

**Prepared by:
Woodward-Clyde Consultants
32111 Aurora Road
Solon, Ohio 44139**

16 November 1988

88P6161

21 November 1988

U.S. Environmental Protection Agency
Waste Management Division
RCRA Enforcement Section
ATTN: Jim Saric
230 South Dearborn Street
Chicago, Illinois 60604

Ohio Environmental Protection Agency
Division of Solid & Hazardous
Waste Management
Northeast District Office
ATTN: Mark Bergman, R.S.
2110 East Aurora Road
Twinsburg, Ohio 44087-1969

**WORK PLAN FOR
DRY WELL CLOSURE
GRADY MCCAULEY INCORPORATED
NORTH CANTON, OHIO
CASE NO. V-W-85 R-35**

Gentlemen:

On behalf of Grady McCauley Creative Graphics Inc, this letter transmits our Work Plan for Dry Well Closure at the former Grady McCauley Inc. facility in Middlebranch, Ohio. The Closure Plan has been prepared in accordance with the 1986 Consent Agreement and Final Order issued to Grady McCauley by USEPA Region V.

If you have any questions, or require clarification on the above, please do not hesitate to contact us.

Sincerely,

WOODWARD-CLYDE CONSULTANTS



James A. Morrison, P.E.
Project Engineer

JAM:yh

cc: Mr. Dennis Grady - Grady McCauley
Mr. John Rego - Squire, Sanders, & Dempsey

/308+

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Waste Management Division
U.S. EPA, REGION V



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**WORK PLAN FOR
DRY WELL CLOSURE
GRADY MCCAULEY INCORPORATED
NORTH CANTON, OHIO**

1.0 INTRODUCTION

Grady McCauley Incorporated (Grady McCauley) owned and operated a silk screen printing business at 7390 Middlebranch Road in Middlebranch, Ohio from September 1983 to June 1985. Thereafter, the business conducted at this site was relocated to North Canton, Ohio.

The Middlebranch site consists of a small building originally used as a cheese house, poultry cleaning, and retail operation as shown on Figure 1. A decal manufacturing company also operated at the site prior to Grady McCauley ownership. Additions were constructed in 1969, 1972, 1979 and 1983.

In the past, Grady McCauley generated waste solvents and inks from the cleaning of reusable silk screens that were employed in the business. Management of this waste included passing the material through floor drains to dry wells. The first system of dry wells (LW-1 and LW-2 as indicated on Figure 1) were connected in series, with LW-2 receiving over flow from LW-1. This system was decommissioned in 1983, at which time, both tanks were pumped dry and filled with sand and gravel. Subsequently a new system, identified as LW-3 and LW-4 on Figure 1, replaced LW-1/LW-2. As in the first series, LW-4 received overflow from LW-3. This system operated until August 1985, when both tanks were pumped and left empty. Construction of WL-1 and WL-2 is of masonry block, and construction of WL-3 and 4 is of pre-cast concrete. Each well is believed to have measured 9' in diameter by 6' in length.

On June 28, 1985, a complaint was filed against Grady McCauley by the Director of Waste Management Division, U.S. EPA Region 5, pursuant to Section 3008 of the Resource Conservation and Recovery Act. This complaint

precipitated issuance of a Consent Agreement and Final Order (CAFO) in December 1986, addressing closure of the dry wells separately from any contaminated soil or groundwater.

The work described in this work plan is intended to perform a clean closure of the dry wells. In accordance with Item 7 of the CAFO, a Feasibility Study addressing any contaminated soil and groundwater which may exist outside of the dry wells will be submitted within 60 days of completion of all activities required under Paragraph 3 of the CAFO.

2.0 SCOPE OF WORK

Closure of the dry wells involves excavation and removal of all four wells. The well materials themselves will be cleaned and returned to the excavations. Soil and backfill materials removed with the wells will be analyzed for the characteristics of toxicity and presence of volatile organic compounds, and the results of that analysis will determine their ultimate disposition. The excavations for the dry wells will be backfilled with soil. The following paragraphs outline the procedures to be used for closure.

2.1 Dry Well Removal

A contractor with experience in the management of hazardous materials will be employed to remove the dry wells and complete the closure. It will be the contractor's responsibility to comply with all OSHA Health and Safety Requirements pertinent to the handling of potentially hazardous materials during this closure operation. One of the dry wells (WL-1) is located beneath the 1983 building addition (refer to Figure 1). The remaining wells are located in areas accessible to construction equipment. For closure of dry well WL-1, the contractor is to perform the following:

WL-1 - The contractor shall remove the metal siding from the 1983 building addition in the vicinity of the dry well. The construction area within the building shall be isolated by hanging Visqueen curtains around the construction area to limit dust migration to other parts of the building. If removal of

vertical building supports is necessary to gain access to WL-1, the contractor shall provide temporary bracing and roof supports, as necessary, to secure the structure. The concrete floor slab over the dry well will be saw cut and removed. The concrete did not come in contact with dry well contents, and therefore, is considered to be non-contaminated and may be used as backfill in the excavations.

The dry well and its contents will be excavated by the contractor, and the excavated material placed on and covered with plastic. The concrete block comprising the dry well itself will be separated from the backfill and stored separately on plastic for cleaning.

WL-2 - The piping between WL-1 and WL-2 shall be removed. The excavated pipe will be stored on Visqueen for cleaning. Soil from the pipe excavation shall be returned to the excavation as backfill.

The procedure for the excavation of WL-2 will proceed as that described for WL-1 above. The excavated soil will be stockpiled for analysis, and the block segregated and stored separately for cleaning.

WL-3 and WL-4 - Dry wells WL-3 and WL-4 consist of pre-cast, concrete segments and have not been backfilled with soil. The contractor will remove the pre-cast, concrete segments and store them on plastic for cleaning. Any soil removed with WL-3 and WL-4 shall be stockpiled with that soil described above for analysis.

2.2 Cleaning

The concrete block removed from WL-1 and WL-2 and dry wells WL-3 and WL-4, will be cleaned with either high-pressure hot water or steam. The cleaning will be performed in a decontamination area lined with plastic. The rinseate will be collected and held for chemical analysis.

Prior to leaving the site, all construction equipment that has come in contact with soil will be cleaned using high-pressure, hot water or steam.

2.3 Analysis

2.3.1 Stockpiled Soil

The soil and backfill removed from the excavation of the dry wells will be sampled and analyzed for the characteristic of toxicity (40 CFR-261) and for volatile organic compounds (Method 8240). One soil sample will be collected for every estimated 10 cubic yards of material. We estimate a total of three samples will be collected. The samples will be collected from separate areas within the pile at a depth not less than 12 inches from the outside face of the pile.

2.3.2 Rinseate Water

One sample of the rinseate water will be collected and analyzed for total RCRA metals.

2.4 Disposal

Final disposal of the stockpiled materials will be dependent upon the results of the analyses performed as described above.

Soil - If the soil is found to be non-hazardous as defined in 40 CFR-261, it will be replaced into the excavations as backfill. If it is found to be hazardous by the characteristic of toxicity, it will be disposed of by the contractor at a secured landfill, licensed to accept it.

Rinseate Water - If the concentration of RCRA metals is within acceptable parameters, the rinseate water may be disposed of by the contractor at a local POTW. If the rinseate water is found unacceptable for disposal at a POTW, it will be delivered to a TSD facility permitted for disposal of liquid wastes.

Dry Well Construction Materials - Once cleaned, dry wells WL-3 and WL-4 will be crushed and backfilled into the excavations. The concrete block from dry wells WL-1 and WL-2 will also be backfilled into the excavations. Any metal or rubbish will be disposed off-site by the contractor.

2.5 Final Closure

Backfill for the excavations will consist of either non-hazardous soil removed from the excavation, broken well materials, or clean soil from an on-site or off-site source free of debris. The backfill shall be placed in one-foot-thick lifts and compacted with the back of the backhoe bucket. The top 1 foot of the excavations for WL-1, WL-2, WL-3 and WL-4 shall be filled with compacted clay. The excavation for WL-1 will be covered with compacted aggregate during repair of the building.

The contractor will repair all damage to the building, and restore each of the areas to its pre-existing surface condition. The restoration will include the placement of topsoil and establishment of vegetative cover.

3.0 REPORT PREPARATION

Upon completion of all field work at the Grady McCauley facility, a report will be issued to USEPA and Ohio EPA describing the completed work. The report will include a narrative of observations made during excavation, the analytical results, and a photo journal documenting the closure.

In order to determine closure has been implemented in accordance with this plan, closure will be observed by an independent professional engineer, registered in Ohio. Certification will be sent to U.S. EPA Region V and the Ohio EPA.

4.0 PROJECT COORDINATION AND TIMING

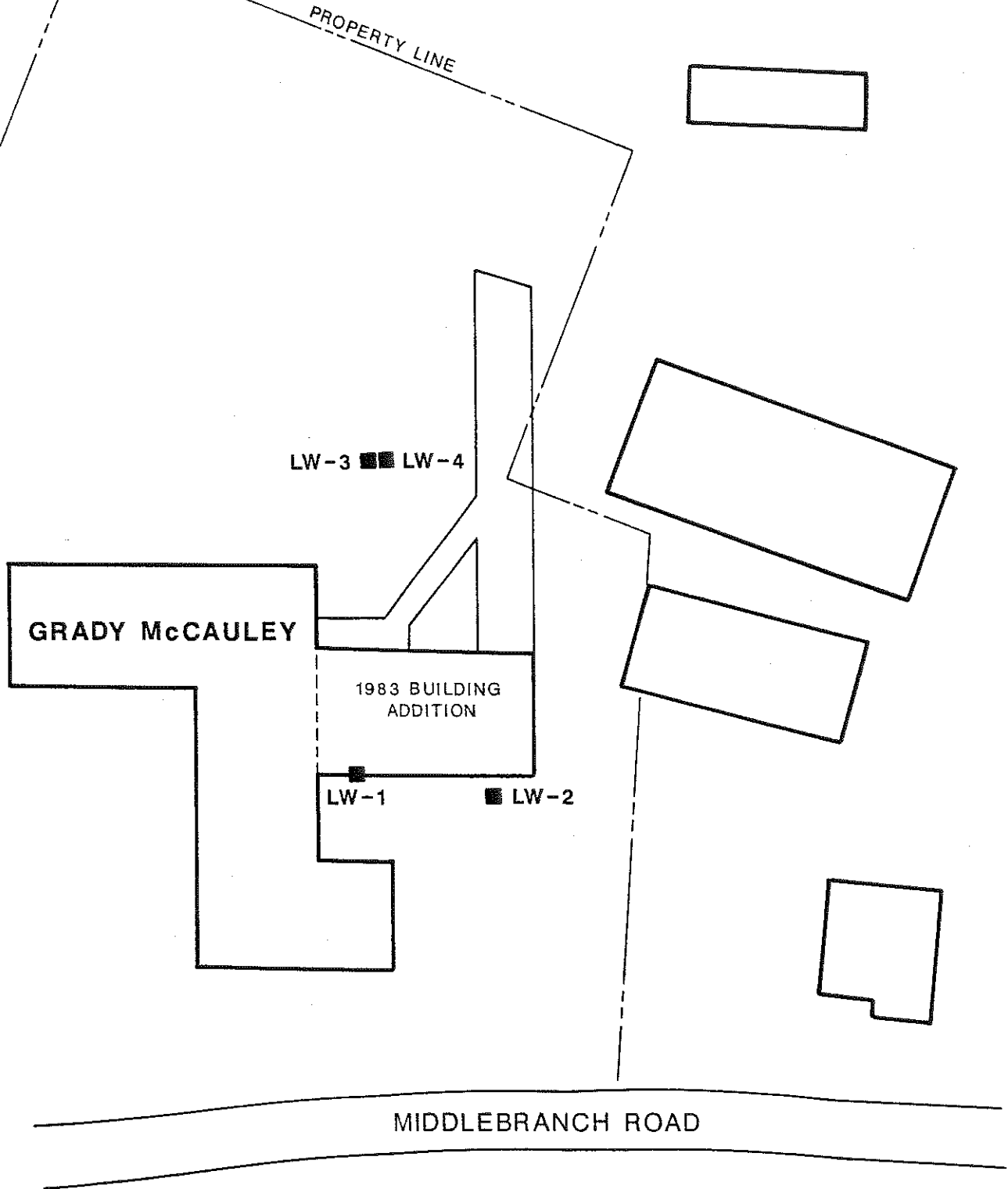
It is estimated that closure activities, including dry well decontamination, can be completed in two weeks from the start of mobilization. Analytical results of the soil and washwater should be complete within 30 days, with disposal within at least 60 days of receipt of the laboratory report and any Ohio EPA or U.S. EPA approvals. A report will be issued by Grady McCauley to USEPA and Ohio EPA within 3 weeks following completion of all field work.



NO SCALE

LEGEND

■ DRY WELL LOCATION



DRY WELL CLOSURE

GRADY-McCAULEY - MIDDLEBRANCH, OHIO

DRAWN BY: REM

CHECKED BY:

PROJECT NO: 88C6161

DATE: 11-16-88

FIGURE NO: 1



State of Ohio Environmental Protection Agency

P.O. Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149
314) 644-3020
FAX (614) 644-2329

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CEI ☐ CI ☐ OTHER ☒ INITIAL NOV ☐ FOLLOW-UP NOV ☐
FULL RTC ☐ PARTIAL RTC ☐ LDR ☐ SENT TO USEPA: YES ☐ NO ☐

George V. Voinovich
Governor

April 5, 1994

Re: Grady McCauley
OHD004468609

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WMD RECORD CENTER

AUG 23 1994

Dennis J. Grady
Chief Executive Officer
Grady McCauley
7584 Whipple Avenue
North Canton, Ohio 44720

Dear Mr. Grady:

On December 8, 1993, Ohio EPA conducted an annual review of financial assurance and liability coverage documentation for the Grady McCauley facility. The facility was evaluated for compliance with Ohio Administrative Code ("OAC") rules 3745-66-42 and 3745-66-47, closure cost estimate and liability coverage requirements. In a December 10, 1993 Notice of Violation ("NOV") letter, the facility was cited in violation of OAC rule 3745-66-47. To demonstrate compliance with OAC rules 3745-66-42 and 3745-66-44, the facility was requested to submit a detailed closure/post-closure cost estimate of the current cost of closing the hazardous waste management units.

On March 3 and 24, 1994, Ohio EPA continued to conduct an annual review of financial assurance documentation on file for the Grady McCauley facility. (The facility was evaluated for closure financial assurance and liability coverage of OAC rules 3745-66-42 and 3745-66-47 on December 8, 1993.) The facility was evaluated for compliance with OAC rules 3745-66-43 and 3745-66-45, closure and post-closure financial assurance.

Grady McCauley's Letter of Credit ("LOC") Number STB-86004 was issued January 5, 1990 by Society National Bank in the amount of \$67,500.00 to demonstrate financial assurance for closure. Ohio EPA received a letter dated December 22, 1993 which noted that the amount of the LOC would be increased to \$69,625.00. Ohio EPA received amendment number 2 to the LOC Number S91/90304/86004 confirming that the credit value increased to \$69,525.00.

On March 24, 1994, Ohio EPA received a letter from Grady McCauley which included an estimate breakdown provided by the facility consultant. The closure cost estimate was provided in unit cost at a total closure cost of \$47,648.00 and post-closure cost estimate in the amount of \$20,000.00.

Dennis J. Grady
Chief Executive Officer
Grady McCauley
April 5, 1994
Page Two

Upon review of the above documentation, it appears the closure/post-closure unit cost is not adequate without additional information - information such as estimated amounts of soils and other materials to be excavated, number of containers estimated to be transported and post-closure activities such as sampling and analysis, security, etc. Please provide additional information to help verify adequacy of the \$47,648.00 estimate for closure and the \$20,000.00 figure for post-closure.

Please provide additional information to address the above closure and post-closure deficiencies. As previously noted Grady McCauley remains in violation of OAC rule 3745-66-47.

If you have any questions, I may be reached at (614)644-2934.

Sincerely,

A handwritten signature in cursive script, reading "Tina Jennings".

Tina Jennings
Compliance Monitoring and Enforcement Section
Division of Hazardous Waste Management

wp.TJ.lcn.gradymc

cc: Laurie Stevenson, Supervisor, CM&ES, DHWM
Dave Wertz, Unit Supervisor, DHWM, NEDO



State of Ohio Environmental Protection Agency

P.O. Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149
(614) 644-3020
FAX (614) 644-2329

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RCRIS ENTRY CODES: (EVALUATION) 016 (ENFORCEMENT) 021
CEI ☐ CI ☐ OTHER FLL INITIAL NOV ☐ FOLLOW-UP NOV ☒
FULL RTC ☐ PARTIAL RTC ☐ LDR ☐ SENT TO USEPA: YES ☐ NO ☐

George V. Voinovich
Governor

March 10, 1994

Re: **Grady McCauley, Inc.**

OHD00468609

Financial Assurance

Second Letter

Dennis J. Grady
Chief Executive Officer
Grady McCauley, Incorporated
7584 Whipple Avenue
North Canton, Ohio 44720

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WMD RECORD CENTER

JUL 19 1994

Dear Mr. Grady:

Ohio EPA conducted an annual review of financial assurance and liability coverage documentation on December 8, 1993. Grady McCauley Inc. was evaluated for compliance with Ohio Administrative Code ("OAC") rules 3745-66-42 and 3745-66-47 regarding closure cost estimate and liability coverage. In a December 10, 1993 Notice of Violation ("NOV"), the facility was cited in violation of the Ohio Administrative Code rule 3745-66-47 because Grady McCauley did not have liability coverage for sudden and non-sudden accidental occurrences. The December 10, 1993 letter also requested that the facility submit current detailed closure/post-closure cost estimates.

Ohio EPA received a letter dated December 22, 1993 from Grady McCauley in response to my December 10, 1993 NOV. Grady McCauley's December 22, 1993 letter indicated there were no other cost estimates other than the ones previously provided and that Society Bank would provide a Letter of Credit ("LOC") with an increased amount of \$69,625.00. On January 3, 1994 (letter dated December 24, 1993) Ohio EPA received amendment no. 2 to the irrevocable LOC No. S91/90304/86004. The LOC has increased to \$69,525.00.

Upon review of the above documentation Grady McCauley is found in violation of:

OAC rule 3745-66-42 because the owner or operator must have a written estimate, in current dollars, of the cost of closing the facility. The owner or operator shall adjust the closure cost estimate for inflation within sixty days prior to the anniversary date of the establishment of the mechanism. In the December 22, 1993 letter, Grady McCauley indicated that there were no further cost estimates available other than those estimates previously provided.

Dennis J. Grady
Chief Executive Officer
Grady McCauley, Incorporated
March 10, 1994
Page Two

The only closure cost estimates on file in the financial assurance files are dated October 16, 1991 as prepared by Heritage Remediation - cost estimates are provided for soil excavation, treatment, and disposal as non-hazardous and excavation of four dry wells. Please provide **current** detail closure cost estimates for the Grady McCauley facility.

OAC rule 3745-66-47 Grady McCauley remains in violation of this rule because it has not submitted documentation to demonstrate compliance with liability requirements. Even though the December 2, 1986 Consent Order did not require liability coverage, Grady McCauley Incorporated will remain subject to and in violation of the liability requirement.

To address the closure cost estimate violation, please provide a detailed current closure cost estimate for all the hazardous waste management units at the facility. Please submit documentation to me within thirty (30) days of the date of this letter. If you have any questions, I may be reached at (614)644-2934.

Sincerely,



Tina Jennings
Compliance Monitoring and Enforcement Section
Division of Hazardous Waste Management

wp.TJ.lcn.FY_94_LOC/grady

cc: Laurie Stevenson, CM&ES, DHWM
Kristen Switzer, DHWM, NEDO



State of Ohio Environmental Protection Agency

P.O. Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149
(614) 644-3020
FAX (614) 644-2329

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ENTERED: ☒ RCRIS ☐ FO LOG ☐ USEPA LOG ☐ CJ LOG ☐ ONLY
RCRIS ENTRY CODES: (EVALUATION) 015 (ENFORCEMENT) 018
CEI ☐ CI ☐ OTHER ☒ INITIAL NOV ☐ FOLLOW-UP NOV ☐
FULL RTC ☐ PARTIAL RTC ☐ LDR ☐ SENT TO USEPA: YES ☐ NO ☐

Donald R. Schregardus
Director

December 10, 1993

Re: **Grady McCauley, Inc.**
OHD004468609
Financial Assurance

Dennis J. Grady
Chief Executive Officer
Grady McCauley, Inc.
7584 Whipple Avenue
North Canton, Ohio 44720

Dear Mr. Grady:

Ohio EPA conducted a financial assurance record review on February 12, 1993 for the above-referenced facility and cited Grady McCauley, Inc. in a March 5, 1993 Notice of Violation (NOV) for Ohio Administrative Code (OAC) rule 3745-66-47 because Grady McCauley, Inc. does not have liability coverage for sudden and non-sudden accidental occurrences. The facility remains in violation of OAC rule 3745-66-47, liability coverage, as cited in the March 5, 1993 NOV letter.

On December 8, 1993, Ohio EPA conducted an annual review of financial assurance and liability coverage documentation for the facility. Grady McCauley, Inc. was evaluated for compliance with OAC rules 3745-66-42 and 3745-66-47, closure cost estimate and liability coverage. Grady McCauley, Inc. uses Letter of Credit (LOC) Number STB-86004 issued January 5, 1990 by Society National Bank in the amount of \$67,500.00 to demonstrate financial assurance for closure. The facility's closure cost estimate is due November 5, 1993 and the update to the LOC is due January 5, 1994.

General Comment:

Pursuant to OAC rules 3745-66-42 and 3745-66-44, Grady McCauley, Inc. must adjust the estimate for inflation within sixty (60) days (November 5, 1993) prior to the anniversary date (January 5, 1994) of the LOC.

Throughout the year, Grady McCauley, Inc. must adjust the estimate within thirty (30) days after a revision is made to the closure plan which increases the cost of closure/post-closure. If closure plan revisions should increase the cost of closure, the facility must adjust the estimate within thirty (30) days after the revision to the closure plan.

Dennis J. Grady
Chief Executive Officer
Grady McCauley, Inc.
December 13, 1993

To demonstrate compliance with OAC rules 3745-66-42 and 3745-66-44, submit a detailed closure/post-closure cost estimate of the current cost of closing the hazardous waste management units. Please note, if the closure cost estimate exceeds the current LOC amount, the LOC is due to be updated January 5, 1994 or additional financial assurance should be obtained to cover the increase.

After review of the financial assurance file, it is determined that the facility remains in violation of:

OAC rule 3745-66-47, because Grady McCauley, Inc. does not have liability coverage for sudden and non-sudden accidental occurrences. The December 1986 Consent Agreement and Final Order entered into between the U.S. EPA and Grady McCauley, Inc. did not require liability coverage but Grady McCauley, Inc. will remain subject to and in violation of the liability requirement until certification of closure.

Within thirty (30) days of receipt of this letter, please submit documentation demonstrating compliance with OAC rules 3745-66-42 and 3745-66-44, cost estimate requirements. It is requested that to confirm compliance with the cost estimate requirements, a copy of the facility's current detailed estimate be submitted to this office for review.

Failure to list specific deficiencies or violations in this correspondence does not relieve you from complying with all applicable rules and regulations.

If you have any questions, I may be reached at (614)644-2934.

Sincerely,



Tina Jennings
Compliance Monitoring and Enforcement Section
Division of Hazardous Waste Management

wp.TJ.lcn.gradymc

cc: ~~Laurie~~ Stevenson, Supervisor, CM&ES, DHWM
Mark Bergman, DHWM, NEDO



State of Ohio Environmental Protection Agency

Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149
(614) 644-3020
FAX (614) 644-2329

TRACKING - DHWM, CM&ES

TO GO ON: ☒ RCRIS ☐ FO LOG ☐ USEPA LOG ☐ CJ LOG ☐ FILE
ENTERED: ☒ RCRIS ☐ FO LOG ☐ USEPA LOG ☐ CJ LOG ☐ ONLY
RCRIS ENTRY CODES: (EVALUATION) 011 (ENFORCEMENT) 012
CEI ☐ CI ☐ OTHER FE2 INITIAL NOV ☐ FOLLOW-UP NOV ☐
FULL RTC ☐ PARTIAL RTC ☒ LDR ☐ SENT TO USEPA: YES ☐ NO ☐

Donald R. Schregardus
Director

March 5, 1993

Re: Grady McCauley Incorporated
OHD004468009
Financial Assurance

Dennis J. Grady
Chief Executive Officer
7584 Whipple Avenue
North Canton, OH 44720

Dear Mr. Grady:

On August 25, 1992, Ohio EPA conducted an annual review of the financial assurance and liability coverage documentation on file at Ohio EPA for the year 1991, for the Grady McCauley Incorporated 7930 Middlebranch Road facility referenced above. The facility was evaluated for compliance with the requirements set forth in Ohio Administrative Code (OAC rules 3745-66-42 through 3745-66-47 regarding closure and post-closure cost estimates, closure and post-closure financial assurance, and liability coverage for accidental occurrences. The facility was cited in an August 27, 1992 Notice of Violation (NOV) letter for violation of OAC rules 3745-66-43 and 3745-66-45 because Grady McCauley Incorporated failed to either cause the amount of the Letter of Credit (LOC) to increase or obtain additional financial assurance to cover the annual, inflationary increase to the closure/post-closure cost estimate and OAC rule 3745-66-47 because Grady McCauley Incorporated does not have liability coverage for sudden and nonsudden accidental occurrences. A response to the August 27, 1992 NOV was received on September 14, 1992 (letter dated September 11, 1992) and is adequate to demonstrate compliance with OAC rules 3745-66-43 and 3745-66-45. Grady McCauley Incorporated however remains in violation of OAC rule 3745-66-47 as described below.

A financial record review was conducted on February 12, 1993 for the year 1992 to demonstrate financial assurance for closure and/or post-closure care, Grady McCauley Incorporated uses LOC No. STB-86004 issued on January 5, 1990 by Society National Bank in the amount of \$67,500.00. On November 9, 1990, Grady McCauley Incorporated submitted a revised stand-by Trust Agreement No. 06962-005 dated January 8, 1990, entered into between Grady McCauley Incorporated and Society National Bank. In your September 11, 1992 letter you indicated the remaining cost estimate \$9,650.00 is for the removal of the four (4) dry wells. If a revision is made to the closure plan which increases the cost of closure/post-closure care, Grady McCauley Incorporated must adjust the estimate within thirty (30) days after the revision. Grady McCauley Incorporated has within sixty (60) days after the change to the estimate to either increase the LOC amount, or obtain additional financial assurance to cover the increase.

Dennis J. Grady
Chief Executive Officer
Grady McCauley Incorporated
March 5, 1993
Page Two

After review of the financial assurance documentation on file, Grady McCauley remains in violation of:

- **OAC rule 3745-66-47** because Grady McCauley Incorporated does not have liability coverage for sudden and nonsudden accidental occurrences. Ohio EPA is aware that the December 2, 1986 Consent Agreement and Final Order entered into between the United States Environmental Protection Agency (U.S. EPA) and Grady McCauley Incorporated did not require liability coverage to be established and maintained for the facility.

Grady McCauley Incorporated will, however, remain subject to and in violation of the aforementioned liability requirement until certification of closure activities.

Failure to list specific deficiencies or violations in this correspondence does not relieve you from complying with all applicable rules and regulations.

If you have any questions, I may be reached at (614)644-2934.

Sincerely,



Tina Jennings
Compliance Monitoring and Enforcement Section
Division of Hazardous Waste Management

wp.TJ.lcn

cc: Laurie Stevenson, CM&ES, DHWM
Mark Bergman, DHWM, NEDO



State of Ohio Environmental Protection Agency

P.O. Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149
14) 644-3020
FAX (614) 644-2329

TRACKING - DHWM, CMBS
TO GO ON: ☒ RCRIS ☐ DBASE ☐ FO LOG ☐ USEPA LOG ☐ CJ LOG
ENTERED: ☒ RCRIS ☐ DBASE ☐ FO LOG ☐ USEPA LOG ☐ CJ LOG
RCRIS ENTRY CODES: (EVALUATION) 1010 (ENFORCEMENT) 015
CEI ☐ CI ☐ OTHER ☐ INITIAL NOV ☐ FOLLOW-UP NOV ☐
FULL RTC ☐ PRTL RTC ☐ TCLP ☐ LDR ☐ SENT TO USEPA: YES ☐ NO ☐

Donald R. Schregardus
Director

August 27, 1992

Re: Grady McCauley Incorporated
OHD004468009

RECEIVED

DEC 17 1992

OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION 1

Dennis J. Grady, Chief Executive Officer
7584 Whipple Avenue
North Canton, Ohio 44720

Dear Mr. Grady:

On August 25, 1992, Ohio EPA conducted an annual review of the financial assurance and liability coverage documentation on file at Ohio EPA, Central Office for the Grady McCauley 7930 Middlebranch Road facility referenced above. The facility was evaluated for compliance with the requirements set forth in Ohio Administrative Code (OAC) rules 3745-66-42 through 3745-66-47 regarding closure and post-closure cost estimates, closure and post-closure financial assurance, and liability coverage for accidental occurrences.

To demonstrate financial assurance for closure and/or post-closure care, Grady McCauley Incorporated uses Letter of Credit No. STB-86004 issued on January 5, 1990 by Society National Bank in the amount of \$67,500.00. On November 9, 1990, Grady McCauley submitted a revised standby Trust Agreement #06962-005 dated January 8, 1990, entered into between Grady McCauley Incorporated and Society National Bank, NA.

As a result of Ohio EPA's review, Grady McCauley is found in violation of the following:

1. OAC rules 3745-66-43 and 3745-66-45, because Grady McCauley Incorporated failed to either cause the amount of the Letter of Credit to increase, or obtain additional financial assurance to cover the annual, inflationary increase to the closure/post-closure cost estimate. The Letter of Credit has not been updated for inflation since its original effective dated of January 5, 1990 and remains at a dollar amount of \$67,500.00.

Pursuant to OAC rules 3745-66-42 and 3745-66-44, Grady McCauley must adjust the estimate for inflation within sixty (60) days prior to the anniversary date of the Letter of Credit. Throughout the year, Grady McCauley must also adjust the estimate within thirty (30) days after a revision is made to the closure plan which increases the cost of closure/post-closure. In either case, Grady McCauley has within sixty (60) days after the change to the estimate to either increase the Letter of Credit amount accordingly, or obtain additional financial assurance to cover the increase.

Dennis J. Grady
Page 2
August 27, 1992

To demonstrate compliance with the above requirements, please submit documentation to this office confirming that the Letter of Credit has been adequately updated for inflation or alternative financial assurance established to cover the increase in the cost estimate.

2. OAC rule 3745-66-47, because Grady McCauley does not have liability coverage for sudden and nonsudden accidental occurrences. Ohio EPA is aware that the December 2, 1986 Consent Agreement and Final Order (Docket No. V-W-85-R-35) entered into between U.S. EPA and Grady McCauley Creative Graphics, Inc. did not require liability coverage to be established and maintained for the facility.

Grady McCauley will, however, remain subject to and in violation of the aforementioned OAC liability requirement until completion and certification of closure activities.

Within thirty (30) days of the date of this letter, please submit documentation demonstrating abatement of the violations cited above. It is also requested that to confirm compliance with the cost estimate requirements of OAC rule 3745-66-42/-44, a copy of the facility's detailed estimate be submitted to this office for review. Receipt of this written estimate was also requested in a previous letter issued to the company by Ohio EPA on July 18, 1991. To date, Grady McCauley has failed to provide this office with a copy of its written cost estimate as requested.

Failure to list specific deficiencies or violations in this correspondence does not relieve you from complying with all applicable rules and regulations.

If you have any questions, I may be reached at (614)644-2934.

Sincerely,



Laurie Stevenson, Supervisor
Compliance Monitoring and Enforcement Section
Division of Hazardous Waste Management

LS/pab

cc: Mark Bergman, DHWM, NEDO



State of Ohio Environmental Protection Agency

P.O. Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149
(614) 644-3020 Fax (614) 644-2329

Richard F. Celeste
Governor

October 16, 1990

Re: Grady McCauley Creative Graphics, Inc.
OHD004468009
Financial Assurance

RECEIVED

OCT 17 1990

Div. of Solid & Haz. Waste Mgt.

Dennis Grady
Grady McCauley Creative Graphics, Inc.
7584 Whipple Avenue
North Canton, Ohio 44720

Dear Mr. Grady:

On September 24, 1990 Ohio EPA conducted an annual financial record review of the records on file for the Grady McCauley Creative Graphics, Inc. 7930 Middlebranch Road facility referenced above. The facility was evaluated for compliance with the financial assurance requirements for closure care, post-closure care, and liability coverage set forth in Ohio Administrative Code (OAC) rules 3745-66-42 through 3745-66-45 and 3745-66-47.

On January 7, 1987 Grady McCauley Creative Graphics, Inc. entered into a Letter of Credit No. 1443 and Trust Agreement with Society Bank of Eastern Ohio NA in favor of U.S. EPA, Region V. This documentation appears to have met the requirements of 40 CFR 265.143 and the requirements of the December 2, 1986 Consent Agreement and Final Order (Docket No. V-W-85-R-35) entered into between U.S. EPA, Region V and Grady McCauley Creative Graphics, Inc. in which Grady McCauley Creative Graphics, Inc. was required to establish financial assurance for closure for its Middlebranch Road facility within forty-five (45) days of the effective date of the Order.

Ohio EPA records indicate that Letter of Credit No. 1443 has been cancelled and replaced with Letter of Credit No. STB-86004, issued by Society National Bank in the amount of \$67,500.00 in favor of Ohio EPA. Ohio EPA records also indicate that the January 7, 1987 Trust Agreement remains in favor of U.S. EPA, Region V. Pursuant to OAC rules 3745-66-43(A) and 3745-66-45(A), please submit to Ohio EPA a copy of the referenced Trust Agreement amended to reflect it as in favor of Ohio EPA. A copy of the required wording specified in OAC rule 3745-55-51(A) is enclosed for your reference.

Ohio EPA is in receipt on November 2, 1989 of a letter dated October 30, 1989 from James Michael Thunder of Squire, Sanders & Dempsey regarding Ohio EPA's September 29, 1989 financial assurance notice of violation. It is agreed that the referenced Consent Agreement and Final Order did not require Grady McCauley Creative Graphics, Inc. to establish liability coverage pursuant to

Dennis Grady
October 16, 1990
Page Two

40 CFR 265.147 for its Middlebranch Road facility. Because Grady McCauley Creative Graphics, Inc. has not yet certified closure of the hazardous waste units at the Middlebranch Road facility, Grady McCauley Creative Graphics, Inc. remains subject to the hazardous waste interim standards of OAC 3745-66, including the liability coverage requirements of OAC rule 3745-66-47. Since Grady McCauley Creative Graphics, Inc. has not established liability coverage for its Middlebranch Road facility pursuant to OAC rule 3745-66-47, Grady McCauley Creative Graphics, Inc. is in violation of OAC rule 3745-66-47.

Please submit an amended Trust Agreement as specified above to Ohio EPA within thirty (30) days of the date of this letter. Upon its receipt, Ohio EPA can further evaluate Grady McCauley Creative Graphics, Inc.'s compliance with OAC rule 3745-66-43. If you have any questions, I may be reached at (614) 644-2944.

Sincerely,



Carolyn J. Reiersen
Hazardous Waste Enforcement Section
Division of Solid and Hazardous Waste Management

Sp.CJR.lcn

cc: Laurie Stevenson, DSHWM, CO
Mark Bergman, DSHWM, NEDO
James Michael Thunder, Squire, Sanders & Dempsey

Enclosure



State of Ohio Environmental Protection Agency

P.O. Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149
(614) 644-3020
FAX (614) 644-2329

George V. Voinovich
Governor

OHD 004-468-609

July 18, 1991

Re: Grady McCauley Incorporated

OHD004468609

RECEIVED

AUG 28 1991

OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V

Dennis J. Grady, Chief Executive Officer
7584 Whipple Avenue
North Canton, Ohio 44720

Dear Mr. Grady:

On July 17, 1991 Ohio EPA conducted an annual review of the financial assurance and liability coverage documentation on file at Ohio EPA, Central Office for the Grady McCauley 7930 Middlebranch Road facility referenced above. The facility was evaluated for compliance with the requirements set forth in Ohio Administrative Code (OAC) rules 3745-66-42 through 3745-66-47 regarding closure and post-closure cost estimates, closure and post-closure financial assurance, and liability coverage for accidental occurrences.

To demonstrate financial assurance for closure and/or post-closure care, Grady McCauley Incorporated uses Letter of Credit No. STB-86004 issued on January 5, 1990 by Society National Bank in the amount of \$67,500.00. Ohio EPA records indicate that this Letter of Credit remains in effect for this amount. On November 9, 1990, Grady McCauley submitted a revised standby Trust Agreement #06962-005 dated January 8, 1990, entered into between Grady McCauley Incorporated and Society National Bank, NA. This Trust Agreement reflects the wording requirements of OAC rule 3745-55-51(A), pursuant to Ohio EPA's notice of violation dated October 16, 1990. Review of this Trust Agreement reveals that it meets the requirements of OAC rules 3745-66-43 and 3745-66-45.

As a result of this July 17, 1991 review Ohio EPA finds the following OAC violations:

1. OAC rules 3745-66-43 and 3745-66-45, because Grady McCauley Incorporated failed either cause the amount of the Letter of Credit to increase, or obtain additional financial assurance to cover the annual, inflationary increase to the closure/post-closure cost estimate.

Pursuant to OAC rules 3745-66-42 and 3745-66-44, Grady McCauley must adjust the estimate for inflation within sixty (60) days prior to the anniversary date of the Letter of Credit. Throughout the year, Grady McCauley must also adjust the estimate within thirty (30) days after a revision is made to the closure plan which increases the cost of closure/post-closure. In either case, Grady McCauley has within sixty (60) days after the change to the estimate to either increase the Letter of Credit amount accordingly, or obtain additional financial assurance to cover the increase.

Dennis J. Grady
July 18, 1991
Page 2

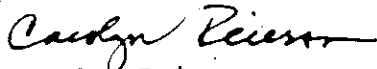
2. OAC rule 3745-66-47, because Grady McCauley does not have liability coverage for sudden and nonsudden accidental occurrences. Ohio EPA is aware that the December 2, 1986 Consent Agreement and Final Order (Docket No. V-W-85-R-35) entered into between U.S. EPA and Grady McCauley Creative Graphics, Inc. did not require liability coverage to be established and maintained for the facility.

Within thirty (30) days of the date of this letter, please submit documentation demonstrating abatement of the violations cited above. Also, please submit the current closure/post-closure cost estimate for the facility.

Failure to list specific deficiencies or violations in this correspondence does not relieve you from complying with all applicable rules and regulations.

If you have any questions, I may be reached at (614) 644-2934.

Sincerely,



Carolyn Reiersen
Hazardous Waste Enforcement Section
Division of Solid and Hazardous Waste Management

cc: Laurie Stevenson, HWES, DSHWM
Mark Bergman, DSHWM, NEDO



State of Ohio Environmental Protection Agency

O. Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149

RECEIVED
OCT 10 1989

OFFICE OF RCRA
WASTE MANAGEMENT DIVISION
EPA, REGION V

Richard F. Celeste
Governor

September 29, 1989

Re: Grady McCauley Creative
Graphics, Inc.
OHD0044686009
Financial Assurance

Mr. Dennis Grady
Grady McCauley Creative Graphics, Inc.
7584 Whipple Avenue
North Canton, Ohio 44720

Dear Mr. Grady:

On September 29, 1989, I conducted an annual financial record review for Grady McCauley Creative Graphics, Inc., evaluating its compliance with the financial assurance requirements set forth in Ohio Administrative Code (OAC) rules 3745-66-42 through 3745-66-47. Under these rules, Grady McCauley Creative Graphics, Inc. must have and maintain cost estimates for hazardous waste facility closure and post-closure care, financial assurance for closure and post-closure care, and liability coverage for sudden and nonsudden accidental occurrences.

As a result of my review, I find Grady McCauley Creative Graphics, Inc. in violation of OAC rules 3745-66-42 through 3745-66-47 for not establishing the required financial assurance for the facility.

I note that Grady McCauley Creative Graphics, Inc. entered into a Consent Agreement in December, 1986 (Docket No. V-W-85-R-35) with USEPA, Region V which required, among other things, compliance with the closure financial assurance requirements of 40 CFR 265.143 within forty-five (45) days of the effective date of the Order.

Please provide sufficient documentation correcting the above violations within thirty (30) days of the date of this letter. I may be reached at (614)644-2944 if you have any questions.

Sincerely,

Carolyn J. Reiersen
RCRA Enforcement Section
Division of Solid and Hazardous Waste Management

CJR:pm
1829S/59

cc: Mike Savage, DSHWM
Mark Bergman, NEDO
✓ Jim Saric, USEPA, Region V

HD-004-468-609
Part 'A' file

Society BANK

IRREVOCABLE LETTER OF CREDIT NO. 1443

January 7, 1987

126 CENTRAL PLAZA NORTH
CANTON, OHIO 44702
PHONE: (216) 489-5300

RECEIVED

JAN 15 1987

U. S. EPA REGION 5
OFFICE OF REGIONAL ADMINISTRATOR

Regional Administrator
Region 5
U.S. Environmental Protection Agency
230 S. Dearborn St.
Chicago, Illinois 60604

Gentlemen:

We hereby establish our Irrevocable Standby Letter of Credit No. 1443 in your favor, at the request of and for the account of Grady McCauley Creative Graphics, Inc., 7584 Whipple Ave., North Canton, Ohio, 44720 up to an aggregate amount of

-----THIRTY FOUR THOUSAND & 00/100 U. S. DOLLARS (\$34,000.00)-----

available upon presentation of:

- (1) Your sight draft bearing reference to this Letter of Credit No. 1443
- (2) Your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to regulations issued under authority of the Resource Conservation and Recovery Act of 1976 as amended".

This Letter of Credit is effective January 7, 1987 and shall expire on January 7, 1988, but such expiration date shall be automatically extended for a period of 1 year on January 7, 1988 and on each successive expiration date, unless, at least 120 days before the current expiration date, we notify both you and Grady McCauley Creative Graphics, Inc. by certified mail that we have decided not to extend this Letter of Credit beyond the current expiration date. In the event you are so notified, any unused portion of the Letter of Credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by both you and Grady McCauley Creative Graphics, Inc., as shown on the signed return receipts.

Whenever this Letter of Credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall deposit the amount of the draft directly into the standby trust fund of Grady McCauley Creative Graphics, Inc. in accordance with your instructions.

We certify that the wording of this Letter of Credit is identical to the wording specified in 40 CFR 264.151(d) as such regulations were constituted on the date shown immediately below.

SOCIETY BANK OF EASTERN OHIO NA

1-7-87

DATE

Donald J. Nuceri
Donald J. Nuceri, Exec. Vice President

1-7-87

DATE

Donald W. Faust
Donald W. Faust, Vice President

This Letter of Credit is subject to The Uniform Customs & Practices for Documentary Credits, (1983 Revision), International Chamber of Commerce Publication No. 400.

O. RC

CC: RF { Reg. #R 201 682 180
WMD { LETTER ONLY

GRADY McCAULEY CREATIVE GRAPHICS, INC
EPA TRUST

The "Agreement", entered into as of January 9, 1987, by and between Grady McCauley Creative Graphics, Inc., an Ohio Corporation, the "Grantor", and the Society Bank of Eastern Ohio, NA, the "Trustee".

WHEREAS, the United States Environmental Protection Agency, "EPA", an agency of the United States Government, has established certain regulations applicable to the Grantor, requiring that an owner or operator of a hazardous waste management facility shall provide assurance that funds will be available when needed for closure and/or post-closure care of the facility.

WHEREAS, the Grantor has elected to establish a trust to provide all or part of such financial assurance for the facilities identified herein.

WHEREAS, the Grantor, acting through its duly authorized officers, has selected the Trustee to be the trustee under this agreement, and the Trustee is willing to act as trustee.

Now, Therefore, the Grantor and the Trustee agree as follows:

Section 1. Definitions As used in this Agreement:

- (a) The term "Grantor" means the owner or operator who enters into this Agreement and any successors or assigns of the Grantor.
- (b) The term "Trustee" means the Trustee who enters into this Agreement and any successor Trustee.

Section 2. Identification of Facilities and Cost Estimates This Agreement pertains to the facilities and cost estimates identified on attached Schedule A.

Section 3. Establishment of Fund The Grantor and the Trustee hereby establish a trust fund, the "Fund", for the benefit of EPA. The Grantor and the Trustee intend that no third party have access to the Fund except as herein provided. The Fund is established initially as consisting of the property, which is acceptable to the Trustee, described in Schedule B attached hereto. Such property and any other property subsequently transferred to the Trustee is referred to as the Fund, together with all earnings and profits thereon, less any payments or distributions made by the Trustee pursuant to this Agreement. The Fund shall be held by the Trustee, IN TRUST, as hereinafter provided. The Trustee shall not be responsible nor shall it undertake any responsibility for the amount or adequacy of, nor any duty to collect from the Grantor, any payments necessary to discharge any liabilities of the Grantor established by EPA.

Section 4. Payment for Closure and Post-Closure Care The Trustee shall make payments from the Fund as the EPA Regional Administrator shall direct, in writing, to provide for the payment of the costs of closure and/or post-closure care of the facilities covered by this Agreement. The Trustee shall reimburse the Grantor or other persons as specified by the EPA Regional Administrator from the Fund for closure and post-closure expenditures in such amounts as the EPA Regional Administrator shall direct in writing. In addition, the Trustee shall refund to the Grantor such amounts as the EPA Regional Administrator specifies in writing. Upon refund, such funds shall no longer constitute part of the Fund as defined herein.

Section 5. Payments Comprising the Fund Payments made to the Trustee for the Fund shall consist of cash or securities acceptable to the Trustee.

Section 6. Trustee Management The Trustee shall invest and reinvest the principal and income of the Fund and keep the Fund invested as a single fund, without distinction between principal and income, in accordance with general investment policies and guidelines which the Grantor may communicate in writing to the Trustee from time to time, subject, however, to the provisions of this section. In investing, reinvesting, exchanging, selling, and managing the Fund, the Trustee shall discharge his duties with respect to the trust fund solely in the interest of the beneficiary and with the care, skill, prudence, and diligence under the circumstances then prevailing which persons of prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of a like character and like aims; except that:

- (i) Securities or other obligations of the Grantor, or any other owner or operator of the facilities, or any of their affiliates as defined in the Investment Company Act of 1940, as amended, 15 U.S.C. 80a-2(a), shall not be acquired or held, unless they are securities or other obligations of the Federal or a State government;
- (ii) The Trustee is authorized to invest the fund in time or demand deposits of the Trustee, to the extent insured by an agency of the Federal or State government; and
- (iii) The Trustee is authorized to hold cash awaiting investment or distribution uninvested for a reasonable time and without liability for the payment of interest thereon.

Section 7. Commingling and Investment The Trustee is expressly authorized in its discretion.

- (a) To transfer from time to time any or all of the assets of the Fund to any common, commingled, or collective trust fund created by the Trustee in which the Fund is eligible to participate, subject to all of the provisions thereof, to be commingled with the assets of other trusts participating therein; and
- (b) To purchase shares in any investment company registered under the Investment Company Act of 1940, 15 U.S.C. 80a-1 et seq., including one which may be created, managed, underwritten, or to which investment advice is rendered or the shares of which are sold by the Trustee. The Trustee may vote such shares in its discretion.

Section 8. Express Powers of Trustee Without in any way limiting the powers and discretions conferred upon the Trustee by the other provisions of this Agreement or by law, the Trustee is expressly authorized and empowered:

- (a) To sell, exchange, convey, transfer, or otherwise dispose of any property held by it, by public or private sale. No person dealing with the Trustee shall be bound to see to the application of the purchase money or to inquire into the validity or expediency of any such sale or other disposition;
- (b) To make, execute, acknowledge, and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted;
- (c) To register any securities held in the Fund in its own name or in the name of a nominee and to hold any security in bearer form or in book entry, or to combine certificates representing such securities with certificates of the same issue held by the Trustee in other fiduciary capacities, or to deposit or arrange for the deposit of such securities in a qualified central depository even though, when so deposited, such securities may be merged and held in bulk in the name of the nominee of such depository with other securities deposited therein by another person, or to deposit or arrange for the deposit of any securities issued by the United States Government, or any agency or instrumentality thereof, with a Federal Reserve bank, but the books and records of the Trustee shall at all times show that all such securities are part of the Fund;
- (d) To deposit any cash in the Fund in interest-bearing accounts maintained or savings certificates issued by the Trustee, in its separate corporate capacity, or in any other banking institution affiliated with the Trustee, to the extent insured by an agency of the Federal or State government; and
- (e) To compromise or otherwise adjust all claims in favor of or against the Fund.

Section 9. Taxes and Expenses All taxes of any kind that may be assessed or levied against or in respect of the Fund and all brokerage commissions incurred by the Fund shall be paid from the Fund. All other expenses incurred by the Trustee in connection with the administration of this Trust, including fees for legal services rendered to the Trustee, the compensation of the Trustee to the extent not paid directly by the Grantor, and all other proper charges and disbursements of the Trustee shall be paid from the Fund.

Section 10. Annual Valuation The Trustee shall annually, at least 30 days prior to the anniversary date of establishment of the Fund, furnish to the Grantor and to the appropriate EPA Regional Administrator a statement confirming the value of the Trust. Any securities in the fund shall be valued at market value as of no more than 60 days prior to the anniversary date of establishment of the Fund. The failure of the Grantor to object in writing to the Trustee within 90 days after the statement has been furnished to the Grantor and the EPA Regional Administrator shall constitute a conclusively binding assent by the Grantor, barring the Grantor from asserting any claim or liability against the Trustee with respect to matters disclosed in the statement.

Section 11. Advice of Counsel The Trustee may from time to time consult with counsel, who may be counsel to the Grantor, with respect to any question arising as to the construction of this Agreement or any action to be taken hereunder. The Trustee shall be protected, to the extent permitted by law, in acting upon the advice of counsel.

Section 12. Trustee Compensation The Trustee shall be entitled to reasonable compensation for its services as agreed upon in writing from time to time with the Grantor.

Section 13. Successor Trustee The Trustee may resign or the Grantor may replace the Trustee, but such resignation or replacement shall not be effective until the Grantor has appointed a successor trustee and this successor accepts the appointment. The successor trustee shall have the same powers and duties as those conferred upon the Trustee hereunder. Upon the successor trustee's acceptance of the appointment, the Trustee shall assign, transfer, and pay over to the successor trustee the funds and properties then constituting the Fund. If for any reason the Grantor cannot or does not act in the event of the resignation of the Trustee, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor trustee or for instructions. The successor trustee shall specify the date on which it assumes administration of the trust in a writing sent to the Grantor, the EPA Regional Administrator, and the present Trustee by certified mail 10 days before such change becomes effective. Any expenses incurred by the Trustee as a result of any of the acts contemplated by the Section shall be paid as provided in Section 9.

Section 14. Instructions to the Trustee All orders, requests, and instructions by the Grantor to the Trustee shall be in writing, signed by such persons as are designated in the attached Exhibit A or such other designees as the Grantor may designate by amendment to Exhibit A. The Trustee shall be fully protected in acting without inquiry in accordance with the Grantor's orders, requests, and instructions. All orders, requests, and instructions by the EPA Regional Administrator to the Trustee shall be in writing, signed by the EPA Regional Administrators of the Regions in which the facilities are located, or their designees, and the Trustee shall act and shall be fully protected in acting in accordance with such orders, requests, and instructions. The Trustee shall have the right to assume, in the absence of written notice to the contrary, that no event constituting a change or a termination of the authority of any person to act on behalf of the Grantor or EPA hereunder has occurred. The Trustee shall have no duty to act in the absence of such orders, requests, and instructions from the Grantor and/or EPA, except as provided for herein.

Section 15. Notice of Nonpayment The Trustee shall notify the Grantor and the appropriate EPA Regional Administrator, by certified mail within 10 days following the expiration of the 30-day period after the anniversary of the establishment of the Trust, if no payment is received from the Grantor during that period. After the pay-in period is completed, the Trustee shall not be required to send a notice of nonpayment.

Section 16. Amendment of Agreement This Agreement may be amended by an instrument in writing executed by the Grantor, the Trustee, and the appropriate EPA Regional Administrator, or by the Trustee and the appropriate EPA Regional Administrator if the Grantor ceases to exist.

Section 17. Irrevocability and Termination Subject to the right of the parties to amend this Agreement as provided in Section 16, the Trust shall be irrevocable and shall continue until terminated at the written agreement of the Grantor, the Trustee, and the EPA Regional Administrator, or by the Trustee and the EPA Regional Administrator, if the Grantor ceases to exist. Upon termination of the Trust, all remaining trust property, less final trust administration expenses, shall be delivered to the Grantor.

Section 18. Immunity and Indemnification The Trustee shall not incur personal liability of any nature in connection with any act or omission, made in good faith, in the administration of the Trust, or in carrying out any directions by the Grantor or the EPA Regional Administrator issued in accordance with this Agreement. The Trustee shall be indemnified and saved harmless by the Grantor or from the Trust Fund, or both, from and against any personal liability to which the Trustee may be subjected by reason of any act or conduct in its official capacity, including all expenses reasonably incurred in its defense in the event the Grantor fails to provide such defense.

Section 19. Choice of Law This Agreement shall be administered, construed, and enforced according to the laws of the State of Ohio.

Section 20. Interpretation As used in this Agreement, words in the singular include the plural and words in the plural include the singular. The descriptive headings for each Section of this Agreement shall not affect the interpretation or the legal efficacy of this Agreement.

IN WITNESS WHEREOF the parties have caused this Agreement to be executed by their respective officers duly authorized and their corporate seals to be hereunto affixed and attested as of the date first above written: The parties below certify that the wording of this Agreement is identical to the wording specified in 40 CFR 264.151(a)(1) as such regulations were constituted on the date first above written.

WITNESSES:

GRADY MCCAULEY CREATIVE GRAPHICS, INC.
GRANTOR:

Sharon G. Grady
Roy H. Keller

Dennis J. Grady
Dennis J. Grady, President

SOCIETY BANK OF EASTERN OHIO, NA
TRUSTEE:

Lou Martin
John S. Gulas

BY John S. Gulas ASSISTANT TRUST OFFICER
AND James H. Rutledge Trust Officer

State of Ohio
County of Stark

On this 12th day of January, 1987, before me personally came Dennis J. Grady to me known, who being by me duly sworn, did depose and say that he resides at 1312 Peachbury Rd N.W. North Canton, Ohio, that he is President of Grady McCauley Creative Graphics, Inc., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to such instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and the he signed his name thereto by like order.

C. Joseph Platt

C. JOSEPH PLATT
Notary Public, State of Ohio
My Commission Expires September 2, 1988

TRUST AGREEMENT BETWEEN GRADY McCauley CREATIVE GRAPHICS, INC. (GRANTOR)
AND SOCIETY BANK OF EASTERN OHIO, NA (TRUSTEE), DATED JANUARY 9, 1987

SCHEDULE A

Grady McCauley Dry Wells
7930 Middlebranch Road
Canton, Ohio 44721

EPA ID Number OHD 004468609
EPA Permit Number OHD 981101488

Post-Closure Cost for Hazardous Waste - \$34,000

TRUST AGREEMENT BETWEEN GRADY McCAULEY CREATIVE GRAPHICS, INC. (GRANTOR)
AND SOCIETY BANK OF EASTERN OHIO, NA (TRUSTEE), DATED JANUARY 9, 1987

SCHEDULE B

The Trust Agreement is a Standby Trust Agreement and will be funded, if at all, at such time as the Regional Administrator of Region Five - United States Environmental Protection Agency shall draw upon an irrevocable letter of credit established in favor of the Regional Administrator of Region Five - United States Environmental Protection Agency.

TRUST AGREEMENT BETWEEN GRADY McCAULEY CREATIVE GRAPHICS, INC. (GRANTOR)
AND SOCIETY BANK OF EASTERN OHIO, NA (TRUSTEE), DATED JANUARY 9, 1987

EXHIBIT A

Each of the persons named below is authorized by Grantor to execute and deliver orders, requests, instructions and such other documents and do such other acts as may be necessary or proper to carry out the purpose of this Trust Agreement.

Dennis J. Grady, President

David McCauley, Executive Vice President

